App. F. IX-4

Previous References

193[illegible]. File No. [illegible]

Serial Nos.

[illegible] 27. 1-9

Later References

[illegible]

Mus dep 241-34.

Mus 52-36-1-4

Mus 85-37-5

GENERAL AND REVENUE SECRETARIAT.

" 85:37 (1-10)

" 74:39-2, 7-12

Mus 5:40-

224:63-1

226:63-8/11.

Serial Nos.

Part B for May 34.

SUBJECT.

Finances of the Cooper management.

Affairs of [illegible] - & IV. Chanda Bungalow

The [illegible] mark -

131 J. & A 54

[illegible] of the future

Charlie.

331 1 2 Law

[App F. III—2

General and Revenue Secretariat 1103 File No of 193 2

Serial No.

Letter No 887/29-30 dated the 9th/12th Sept 1932 from the Inspector Commissioner submitting proposals for the better management of the affairs of the S.I.R. Societies, Bangalore.

Kind reference is invited to orders at paras 29 & 30 of the Note in ~~Inspector's file~~ Education file No 801-27-28. If approved the Law Section and the Education Section may be requested to furnish opinion on the draft scheme proposed by the M.C. for the future management of the institutions. Put up for orders.

C.S. 26/7/32

Legal opinion may perhaps be first obtained on the suggestion at para 4.

H Secy.) MSK 1/10/32

Yes M 8/10

Law Section, with compliments.

MS 28/4

28/10/32

NOTE—Contn Sheet

WD 71—GBPM—[illegible]—15-8-3

File No. of 193 .

General and Revenue Secretariat

Ref. O No 1932

Forwarded with Compliments to the Govt. Ad. for favour of remarks on the Scheme proposed by the Muzg Commr

B.o

for General Secretary.

Returned with compliments.

I have no special remarks to offdr on the scheme proposed by the Muzrai Commissioner. It meets the requirements of the Institution and I think it may be adopted. Regarding the election of three members from the Jyotinagar Community there may be practical difficulties, but the details may be worked out later. It would be desirable to reserve one of the above three places ~~xx xx~~ for a member of the Donor's family.

Government Advocate.
21-12-1932.

H.

Action under Sec 19 of the Rel & Char. Institutions Act may be taken & the Scheme as framed by the Hon Comm may be sanctioned. One seat may be reserved for a member of the donor's family & the other two for the Jyotinagar Community may be nominated till such time as the Community is able to form an association & electorate for the purpose. The seat for the member of donor's family may be left vacant or board of trustees

Ed: Br. with Compts

Yes

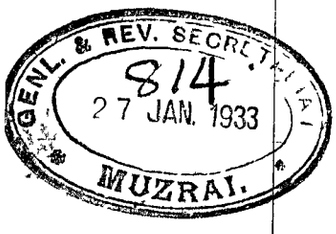
4/1/33

10/1/33

Serial No.

There are no points on which the Education Branch can give its opinion. The scheme submitted by the Mungrai Cour. relates purely to the future administration of the charities, which is a matter to be dealt with in the Mungrai Branch

HO 19/1/33 MR Mu x Br) 26/1 26/1



NOTE—Contn. Sheet

File No. of 193 . General and Revenue Secretariat

Petition of 20. 1. 1933 from Mr. M. Venkata Swamy Naidu praying for final orders about the management of Sri Kala Shree Narasimha Chariti of the late Mr. Doddanna Setty.

Orders of the Board on the petition :—

" Why have not orders issued yet ? "

Petition of 3. 2. 33 from Messrs B. Srinivasalu Naidu, Venkatapathiyappa and Yajaman Munivami Setty trustees of the S. K. N. Charities Bangalore stating that any action that Government may take should not be such as to ignore the work they have been doing in keeping the institution in an efficient condition

Note : orders on the P. no.

" The connected file has been submitted to the financial Secretary & Offg Secy. for consideration. Accordingly, this note may be placed on that file. Submitted for orders. -

T. R. G/-

" Yes please "

Initd. B. H.
9/6/33

EDUCATIONAL 27 JUL 1933

Serial No.

(2) The Connected File (Duo 331) was sent to the Law Section on 20/10/32 & has not yet been received back.

(3) If appd, this will be sent there to know the present stage of the case

Subd for orders in the reference to Dewan, order in para 1 supra

M 25/1/33

This may be sent to the Law Section in Cont.

25/1/33

Asst. Secy)

Law Secy)

26.1.33

The Connected file was sent to the Edl on 10/1/33 according to members orders.

Mng. Br)

Education Br)

Lists Compld

Recd 26/1/33

1) The file referred to was sent to the Mngt. Br. today.

Mngt. Br. with compts.

M 27.1.33.

1) If appd, a draft G.O. on the lines of the scheme put forward by the Mng Comt, as amended by the Law Section, will be put up.

Subd for orders

M 27/1/33

Yes please Enclosed

28/1/33

EDUCATIONAL BRANCH 27. JAN. 1933 GEN. & REV. SECTT.

NOTE—Contn Sheet.

WD 70—GBPM—60,000—13-8-31

File No. of 193 . General and Revenue Secretariat

Draft G.O submd for Consideration

30/1/33

Draft for approval.

Sec 18 (4) quoted by the M.E. seems to be misapplied. The U.S. Law dept however says Sec 19. In the [Scheme the word 'Shall' is substituted for 'will'. in places where it occurs. As regards the Appointm of the U.S. Nat one of the Members may be from the Depd facing, this may be kept in view in nominating Members of the Appellate Committee. Whether it is desirable to depict with mention this in the Scheme is for orders.

30/1/33

for Secy)

Dr 2.3.33

2/3

FINANCE 5636

2.3.33

Serial No.

5636

The enquiry held under Section 17 of the Religious & Charitable Institutions Regulation, has established that there has been gross mismanagement of the institution and action has now to be taken under Section 18.

It will be seen from Section 21 that an order passed under Section 18 can be executed only if no suit has been filed for its cancellation by any aggrieved person, or if a suit is filed, after it has been dismissed by the court. The only step which can now be taken is, therefore, to authorise the Muzrai Officer to pass an order under Section 18 and communicate it to the Members of the Trust Board. In support of this order, the more important of the results of the enquiry which established gross mismanagement, have, of course, to be mentioned. Three of the Trustees resent the enquiry held and the action that may be based on it and they also appear to contemplate resort to Court for assertion of their rights as Trustees: vide the latter half of para 2 of their petition dated 3rd February 1933. In these circumstances, it is not now necessary, as proposed in the draft put up, to issue instructions in regard to any scheme of management of the institution.

The particular course of action to be taken under Section 18 for the future management of the institution can be considered only if none of the Trustees files a suit or if any

NOTE.--Contn sheet

WD 589—GPB—300—27-8-29

Serial No.

suit is filed, after it is dismissed. The Muzrai Commissioner proposes that a scheme of management may be framed under Section 18 (4) on the lines suggested by him. He states that "the object of Government's intervention should be only to effect suitable changes in the constitution of the Trust so as to ensure its satisfactory and permanent working but not the conversion of the institution itself into a Government managed concern". It is certainly desirable to enlist the co-operation of public spirited gentlemen in the management of the institution and not to make it a purely Government run concern. But the authority of Government to arrange for the administration of the institution should be unfettered and unchallengeable. All powers should vest in them and they may delegate to the committee appointed for managing the institution such powers as are necessary for its smooth and efficient working.

According to the arrangement suggested by the Muzrai Commissioner, the Trust properties should "devolve on the new Committee who will hereafter exercise all the functions contemplated by the Trust Deed for the Trust Board and the Advisory Committee" and provision are also proposed for reservation of specific powers to Government: vide conditions Nos. 2, 9, 10 and 11 of the proposed scheme. I do not think these limitations and reservations are necessary or desirable. The arrangements for the management of the institution provided for in the Trust Board, should, I think, go and the responsibility for carrying out the

WD 583—GPB—300—27-8-29

intentions

intentions of the Trust should completely devolve upon Government. No other arrangement would be satisfactory. I think it is, therefore, best to take over the institution and its properties under Government so that all powers of control may vest in them. For purposes of actual management, however, Government may appoint a committee and confer wide powers upon it.

I have discussed this problem with Mr. D'Souza. He thinks that if any of the Trustees files a suit, the legal proceedings will take years and in the meantime, the administration of the institution will continue to be unsatisfactory. He believes that it may be possible to induce all/the Trustees to agree to the assumption of management by Government and that if they submit a representation to that effect, the final disposal of the case would be facilitated. Messrs Srinivasalu Naidu and Venkataswami Naidu are badly estranged from each other and it would be well not to permit them to have anything to do with the future management of the institution. But both these gentlemen were associated with Mr. Doddanna Chetty and out of regard for him, they are disinclined to dissociate themselves from the institution. Mr. D'Souza thought that they might be allowed to be members of any committee ~~to be~~ appointed by Government. If they agree to work together they may be continued and when both are nominee of Government and are liable to be removed, it is unlikely that they would quarrel with each other.

WD 589—GPB—300—27-8 29

(10)

Serial No

Mr. D'Souza suggested that time for about a month might be allowed to enable him to persuade the Trustees to agree to the new arrangement.

The further action to be taken may accordingly be deferred.

14/4/33

18/4/33

NOTE -Contn sheet

WD 589—GPB—300—27-8 29

(11)

Janopakari Doddanna Setty's
SRI LAKSHMI NARASIMHA ~~CHARITIES~~.

~~First~~ Board Office, Doddanna's Buildings,
Bangalore City.

ENCLS.....

NO.....789..... *Dated*.....3rd June 3 *193*.

GEN. & REV. 1360. 10 JUN 1933 MUZ.

FROM

Rajakaryapravina
P.G.D'Souza,Esq.,B.A.,B.L.,
President, S.L.N.Charities,
Bangalore

TO

Rajakaryaprasakta Dewan Bahadur
M.N.Krishna Rao,Esq.,B.A.,
Dewan of Mysore,
Bangalore

Sir,

Dear Mr.Krishna Rao,

I am glad to inform you that the results of the S.L.N. Institution, Bangalore both in the High School and Middle School Classes are very satisfactory this year, the school taking one of the highest places in the State. As the High School Classes were only opened last year, these results seem to be very creditable and are due to the smoothness with which the Institution has now been working. I am trying my best to bring the Trustees round to come to an arrangement with Government for managing the Institution under the supervision of the Government. And as latterly I have had some preoccupations due to domestic affairs, I have not been able to settle the matter finally. I shall try to do so before the end of this month.

With regards,

Yours sincerely,

P.G.D'Souza

Office of the Second Member of Council, 7 JUNE 1933 No.....

forwarded to Second Member with compliments

7/6/33

Secretariat 12 JUNE 1933 No. 6371

Submitted. The connected file is put up.

12/6/33

Second Member

Seen. The case need be

12/6/33

General and Revenue Secretariat | File No. | of 193 .

Serial No.

No Communication has been received in the matter from Rajadharmaprawina Mr. P. G. D'Souza President S. L. N Committee Trincomalee.

Submitted for orders with reference to para 5.

no
12/7

12/7/33

Secretary)

14.7.33 12/7

Dewan)

DEWAN'S OFFICE
15. JUL. 1933

33) A - Please send a reminder to him
mnk
17.7.33
12/7

TYPING SECTION
19. JUL. 1933
GEN & REV SEC

Draft submitted:
no
17/7
19/7

18 - Letter no. 83 of 20/7/33 to the President S. L. N. Committee.

Letter of 5. 7. 33 from the President of S. L. N. Committee stating that he would shortly communicate to me the future Management of the S. L. N. Committee -

26) For perusal and file
Submitted A-N-R-
25/7
Secretary Received Submitted S. P. R.

37)

NOTE—Contn. Sheet.

WD 0246 -GPB—15,000—22-8-32

Representation dy 3.8.33 addressed to the Dewan from the Trustees of S.R.N. Charities stating that they are willing to the management of the Institution being taken over by Government subject to terms specified therein. Minute of the Dewan on the P.U.D forwarded with compliments Second Member"

Intd M.N.R.
3/8/33

Please mark up with the file"

Intd S.P.R.
7/8.

Early "
Intd
B.M.

with the connected file
. The Communication now received from the Trustees of the charities. the report promised by the President of the charities in his letter dy 25.7.33 has not yet been received

Keep
25/8/33

Fl Secy)

43 8/
16/8/33

Office of the Second Member of Council
19 AUG. 1933
No. 86

2d Mr)

Ad
16833

Await d 18/8
reminder d soon
not rec

Lus 1111.9.
23/8

Jpr 20/8

General and Revenue Secretariat — File No. 335 of 1933.

Serial No.

45) Submitted with a draft reminder to the president of the S.L.N. Charities with reference to Page 44 ante.

46) [illegible] 2/19

301 dated 6.4.1933

To The president. S.L. Charities
31. Grant Road Bombay

Enquiries when the Communication promised by him may be expected in this office

D.O. letter dated 14.9.1933
From the president. S.L.N. Charities
Submits his report as called for

47) second Member's orders on the above
"Please Secy with Compliments. May be put up with references and note early"
Sd/- S.P.R. 16/9

48) "Immediate"
Sd/- A.N.R. 18/9.

D.O. letter dated 14.9.1933.
From the pt. S.L.N. Charities
Submits his report as called for above.

49) Defence's order on the above
II Member with compliments "
Sd/- M.M.D. 15/9/33

P. [illegible] 9/9

D.W.O. I

D.W.O. II

3

WD 70—GBPM—60,000—13-8-3.

S. L. V. Charities – Bangalore.

My File No. of 1933. | General and Revenue Secretariat

5th/ Second Member's orders on the above.
Fl. Secy. Bring up, please.

Dated S. P. R.
16/9.

5/ put
Bring up files"
Dated A. V. R.
22/9/33

Subd with connected papers.

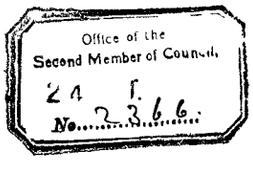
22/9

Fl Secy) 5th To be put up as given
A.V.
22/9/33

5th Typed note as approved by
the Fl Secy put up. 24/10/33

Secy)

Typed note containing the full facts of the
Case is submitted A.V.
2d Member) 24.10.33 24/10/33



The note put up by the Financial Secretary gives the history of the case and also the point for actual determination. I have further discussed the questions with Mr. D'Souza and agree with him generally as regards the detailed proposals he has now sent up in his letter of the 14th September 1933. The scheme outlined by him in this letter which is practically the same as that recommended by me as Muzrai Commissioner in

Management of S.L.N. Charities by Govt

General and Revenue Secretariat | File No. | of 193

Serial No.

in 1932 may be approved. This no doubt involves the continuance of the existing trustees including the Chairman but this cannot be helped as it is possible for any of the trustees to stop further proceedings temporarily by filing a suit and as it is necessary to avoid this. The trustees have also expressed their willingness to abide by such a scheme. Orders are to be formally passed by the Muzrai Officer.- The names of the other members of the Committee besides the existing trustees will be proposed after the issue of orders.

57/ Please put up suitable draft for Govt

29/12

58/ A draft G.O. is putup.

9/1/34

59) Put up revised draft as instructed please

16/1/34

15

60) A draft G.O. letter to the M.C. embodying the scheme, as approved is putup as directed.

16/1

61) Put up typed draft please

16/1

62) Typed draft is putup.

17/1

63 For approval.

18/1/34

(H. Leary)

2nd Mr: It is for consideration if Law Dept and Mr D'Souza may be consulted about the Vice A & B in the letter dated 14-9-33

22/1/34

22/1

OFFICE OF THE SECOND MEMBER FOR LEGAL AFFAIRS
23 JAN. 1934
No. Lr 6.26

WD 70—GRPM—50,000—15-8-31

17 S.L.N. charities Bangalore

File No. of 193 . General and Revenue, Secretariat

45/ The drafts are slightly recasted. It may have further respect if the draft is sent d.o. to Mr D'Souza before the draft rules are finally appd. This may be done as early as possible

J/02
28/1/34

J/30/1/34

46/ A draft D.O. letter to Mr P G. D'Souza is put up.

47/ For perusal before issue

J
31/1

AST 31/1

J/31/1

48/ Issue
31/1/34.

49/ J
J/31/1/34

TYPING SECTION
31 JAN 1934

Issued dated 2.2.1934
To Rajakaryaprasina Mr P G D'Souza
President S.L.N Charities
Requests him to furnish his views on the proposed rules for the future management of the Institutions.

Issues for work
2/2/34

S. L. N. Charities Bangalore

18

[App. F. III—2

General and Revenue Secretariat | File No. 320 of 1932

Serial No.

D.O. Letter dated 20.2.1934
from the President
S.L.N. Charities Blore
Submits his views in the matter as
called for. vide.

4/ Second Member's order on the letter
please put up with file"
Secy S.P.R 20/2

5/ The President of the Charities considers the Scheme proposed by Govt as suitable and suggests the additions and modifications noted below:

(1) The aims of the founder should always form the permanent basis of the Charities and if after carrying out these objects, additional funds are available, these should be spent for the further development of technical education in the future. The Govt should reserve the power to modify the Scheme arises subject to this condition.

Reservation of power Govt to modify the Scheme.

(2) The number of Members of the Jothinagar Community, on the Committee may be fixed at not less than 3 and not more than 4, instead of 4.

2 No. of Jothinagar Committee members to be fixed at 3 to 4.

(3) Members of the Jothinagar Community appointed by virtue of being Trustees at present, can be removed from the Committee for ~~any reasons to be recorded~~ a decent provided they are given an opportunity to meet charges that might be brought against them, with an appeal to Government.

3 Removal of Trustee Members from the Committee

(4) The Committee should meet at least

NOTE—Contn Sheet.

WD 0434—GPB—15,000—12-10-33

File No. of 193 .

General and Revenue Secretariat

Serial No.	
	4 Committee Meetings and Cessation of Membership thro' absence.
	5 Sitting Fees
	6 President to have full administrative control over the Institution provision for —
	7 Conveyance Allowance of Rs 60/- to the President
	8 President to be consulted in appointing new members
	9. Govt interference restricted to serious cases only.

month and oftener if need be. Absence from any four consecutive meetings without sufficient cause will involve cessation of membership which may be restored by the Committee for satisfactory reasons.

Each Committee Member to be given a sitting fee of Rs 6/- and the president, Rs 10/ per meeting

The Scheme should contain provision for a single person to be at the head to control and direct the Institution, who will be the President and will be charged with the administrative control the Institution.

Conveyance allowance of Rs 60/- pm to the president who will have to incur out-of-pocket expenses on account of his executive duties.

Appointment of new members to the Committee to be made in consultation with the president and any public or private body that gives grant to the Institution may be allowed to nominate one member to the Committee

Interference of Govt to be restricted to cases where mis-application of funds or diversion of the original object of the grant or mismanagement the efficiency of the Institution.

20

S.L.N. Charities Bangalore

[App. F III—2

General and Revenue Secretariat — May — File No. — of 1933.

Serial No.

New Scheme to come to force from 1.7.1934,

(10) The New Scheme should come into force from 1st July 1934 so that all arrangements may coincide with the official year

5th/ The above suggestions of Mr D'Souza are, it is subd, in the nature of Subsidiary Rules and do not seem to require to be embodied in the New Scheme already approved by Govt and ~~accepted~~ by them, perhaps the President may be asked to place these suggestions before the New Committee to be constituted from 1.7.1934 for their opinion and to submit through the M.C. in a final form, a draft of the Subsidiary Rules which they consider to be necessary for the management of the charities, owed for the approval of the Govt under clause 5 of the Scheme

5th/ Submd for orders with reference to Member's orders at paras 45 and 49 Supra

Pdt 27/2

Sd

55 The only suggestion of Mr D'Souza that may be incorporated in the approved draft is that about fixing the ~~Quorum~~ Committee-Members at not less than 3 & not more than 4 Members. Para (2) (a) of the draft is suitably amended & submd.

The other suggestions may be sent up to the newly Constituted Committee when the M.C. is fixed for approval after it is duly Constituted.

27/2/34

OFFICE OF THE SECOND MEMBER OF COUNCIL. 5 MAR 1934 No. 576

WD 0434—GPB—15,000—12 10-33

NOTE—Contn Sheet

5th/ 3 3.34

3.3.34

S.L.N. Chanties Bangalore
931

File No. 336 of 1932 — General and Revenue Secretariat

Serial No.

DEWAN'S OFFICE
28 MAR 1934
No. 6068

55/ I agree that the only Suggn that has to be adopted is the one about the Strength of Jyothinagar Community. This may be added to the draft scheme & further action be taken

Sd/
25/3/34

Dewan

8/27/3

56
by
29/3/34

57 In order the draft approved by the Member may be issued ~~approved~~

Recd
29/3/34

58 Sd/ 29/3.

8/31/3

OFF SECY'S M-ES 9 APR 1934 No. 105 '34

TYPING SECTION 1 MAR 1934

1315 Dated 2.4.1934
The M.C in Mysore

Approves the scheme for the future management of the institution and requests him to report the result taken as suggested therein

TYPING SECTION 2 APR 1934 GEN. C

B+Lrs
3/4/34

B+Lrs
1/5/34

22

S. L. N. Charities

General and Revenue Secretariat | File No. 330 of 1932 | [App. F. III—2

Serial No.

59) Subd for orders whether Mr P. G. D'Souza may not be informed that the scheme for management of the Institution has been approved by Govt and that the M.C has been ~~requested~~ requested to instruct the Municipal Officer to pass formal orders accordingly.

BJS 4/4

No reply seems necessary to be sent to Mr D'Souza as suggested

5/4/34

(J.F.Secy)

2nd M.)

9/4

9/4

JPS 11/4

9/4

A draft to the M.C returning the file of papers read with his letter dated 12.9.1932 is put up.

BJS 13/4

13/4

1324 dated 16.4.1934

The M.C in reply

Returns the papers read with his letter dated 12.9.1932

B+Secs 1/5/34

(in Cir Res file) E

OFFICE OF THE SECOND MEMBER OF EXECUTIVE 9 APR. 1934 NO. 95-31

TYPING SECTION 13 APR 1934 CENTRAL

NOTE—Contd Sheet

WD 0434—GPB—15,000—12-10-33

File No. of 193 .

General and Revenue Secretariat

Serial No.

Serial No.

S.L.N.Charities.

In March 1928 the President of the S.L.N. Charities (Mr.P.G.D'Souza) brought to the notice of Government the unsatisfactory state of affairs in respedt of the charities instituted by the late Janopakari Doddanna Setty and suggested certain remedies.

The first of the report is that the Trustees are not working harmoniously and that some of them exploit the charities for their own ends with the result that the intentions of the Donor are not fulfilled

After a good deal of correspondence the Muzrai Commissioner was asked in letter No.4418/Edn.801-27-8 dated 27th October 1930 to make action under clauses 17 and 18 of the Mysore Religious and Charitable Institutions Regulation of 1927, as it was evident that the trustees had failed to justify the trust placed in them and were quite incapable of managing the charities in accordance with the Donor's wishes.

In September 1932 the Muzrai Commissioner reported as follows:-

Detailed enquiry into the matter discloses gross mismanagement of the institution and its properties justifying interference of Government, the chief irre larities brought to light being -

(i) unauthorised drawing and utilising of moneys by some of the trustees;

(ii) recovery of debts and rents and not crediting the same to the funds of the Institution;

(iii) unauthorised occupation of the building by one of the trustees without payment of rent;

and

NOTE—Contn. Sheet.

D 70—GBPM—60,000—13-8-3.

(iv) failure to take legal action in respect of the outstandings.

The Muzrai Commissioner considered that (i) action under the Muzrai Regulation was called for, (ii) that the object of the Government's intervention should be only to effect suitable changes in the constitution of the trust so as to ensure its satisfactory and permanent working, but not the conversion of the institution itself into a Government managed concern; (iii) that the new scheme should therefore aim at the freeing of the charities from its existing defects, maintaining at the same time its character as a public trust managed by private bodies under the general control of Government without the institution being taken directly under Government management; and (iv) that it would be enough if a scheme for proper management is framed under clause 4) of Section 18, reserving to Government the power to interfere if and when mismanagement occurs.

He recommended for adoption a scheme of management (for scheme vide pages 3 and 4 of his letter).

The opinion of the then First Member of Council Rajakaryaprasakta Dewan Bahadur (Mr. T.N.Krishna Rao) is contained in his minute dated 17th April 1933 (paras 20 to 26 of notes). He considered that it was best to take over the institution and its properties under Government, so that full powers of control may vest in them and that, for purposes of management, however, Government might appoint a committee and confer wide powers upon (Para 24).

After discussing the problem with Rajakaryaprasakta Mr.F.M.D'Souza, the Member ordered that,

Serial No.

as suggested, time might be allowed to enable him to pursuade the Trustees to agree to the new arrangement.

Due evidently to the persuasion of Rajakaryapravina Mr.P.G.D'souza, four members of the Trust viz., Messrs. 1. B.Srinivasalu Naidu, 2. M.Venkatasamy Naidu 3. Muniswamy Naidu Setty and 4. Venkatapatniappa, have sent up a representation dated 3rd August 1933, that it will be in the interests of the institution if a new scheme can be introduced under which Government can directly exercise control over the institution, that they are prepared to co-operate with them for the purpose, that they are agreeable to Government assuming control of the institution and forming a committee for its management under their supervision, and that in the new committee the present members may be continued. They have suggested proposals for the future management in the concluding para of their representation.

Rajakaryapravina Mr.P.G.D'Souza has also made a reference to Government in the matter on 14th September 1933. In this, he states that all the differences between the Trustees have now been adjusted, that they are prepared to co-operate in future, that this spirit of theirs deserves sympathetic consideration, that they are practically surrendering a position from which they cannot be removed except by prolonged litigation, if their scheme is accepted, all that they ask for being that they should not be omitted from the new constitution and that it is therefore desirable to see that the action taken is not calculated to rouse their opposition unnecessarily.

WD 70—GBPM—60,000—13-8-3.

P 4271

In his letter to the Dewan of the same date, he has also given a history of the institution from its inception and its present condition.

The points at issue in the present case are -

(i) whether to adopt the scheme of management proposed by the Muzrai Commissioner without taking the institution directly under Government management; or

(ii) to take over the management of the institution by Government and to adopt rules for such management.

24/10/33

23/10/33

Mut. Br.

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No. 887/29-30
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Mis. 336-32-1

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE.

Dated, Bangalore, 9th September *1932*.
12

REV. BR. 331 14 SEP. 1932 MUZRAI.

FROM

S. P. Rajagopalachari, Esq., B.A., B.L.,
~~Sx HEBBIAXNNAIYAX, ESQ, XMA, XBXX~~
Muzrai Commissioner in Mysore.

1932
No. 1826

To

GENERAL SECRETARY 1 SEP

R. Ranga Rao, Esq., B.A., B.L.,
General *Secretary to the Government of His Highness*
the Maharaja of Mysore.
..... ~~Bangalore~~

For perusal. The Case will be worked up & placed in one Course.
14/9

SIR,

With reference to your letter No.D.4418/Edn.801-27-8 dated 27th October 1930 requesting that action under Secs.17 & 18 of the Mysore Religious and Charitable Institutions Regulation may be taken in respect of the S.L.N. Charities, as the Trustees have failed to justify the trust placed in them and are incapable of managing the charity, I have the honor to state that a regular enquiry has been conducted by the Sub Division Officer, Bangalore, and copies of his order and scheme for the better management of the charities received with the Deputy Commissioner's letter No.C.3-2004/30-31 dated 15th July 1932 (copy enclosed) are herewith submitted for the information of Government.

2. The report now received discloses gross mismanagement of the institution and its properties justifying interference of Government under Sec.18 of the Regulation. The chief irregularities brought to light are the omission to appoint a President after Mr. Doddanna Setty's death, the unauthorized drawing and utilising of moneys by some of the Trustees, recovery of rents and debts and not crediting the same to the funds of the Institution, unauthorised occupation of the building by one of the Trustees without payment of rent, and failure to take legal action in respect of the outstandings. The Advisory Committee appointed by Government in 1924, with Rajakarya-Pravina Mr. P. G. D'Souza as President, no doubt, effected some ---

some improvem nts in the conduct and the financial position of the charities, but having no legal status, and not enjoying the full -- co-operation from the Trustees, who possess the legal power under the Trust Deed, their activities were naturally very much limited. There are instances of the Trust Board setting at nought the ---- resolution of the Advisory Committee.

3. As regards the future management, the Sub Division Officer - proposes that the Institution may be taken under Government management and administered through a Committee of management, consisting of nine members in accordance with the scheme drawn up by him. The Deputy Commissioner is in general agreement with him, but he would restrict the strength of the Committee to seven and recommends ---- further that the Committee might be given, subject to a general -- budget of Revenue and expenditure to be approved by Government, and of monthly audit by a certified Auditor, full powers of control over the charities, subject only to general supervision of the Government.

4. I have visited the Institution and discussed the connected -- questions with Rajakaryapravina Mr. P. G. D'Souza, Chairman of the Board. I am in agreement with the Deputy Commissioner that action is called for under the Muzrai Regulation. But I think that the object of Government intervention should be only to effect suitable changes in the constitution of the Trust so as to ensure its satisfactory and permanent working but not the conversion of the institution itself into a Government managed concern. Under the Trust --- Deed, any changes in the constitution or in the working could be made only by application to the District Court which is a costly and --- cumbersome procedure, and would not lead to such satisfactory arrangements as Government can order in the Muzrai Department. The new -- scheme should therefore aim at the freeing of the Charities from its existing defects, and at the same time, maintaining the character as a public trust managed by private bodies under the general control of the Government without the institution being taken directly under --- Government management. I therefore consider it enough if a scheme for proper management is framed under clause (4) of Sec.18, reserving in Government the power to interfere if and when mismanagement occurs.

Mecurs. I recommend the following scheme of management for adoption

(1) The charities shall be managed by a managing Committee, consisting of nine members, of whom the President shall be nominated by Government, and a senior officer of the Education Department shall be an Ex-officio member. Of the other members, three will be from the Jyotinagara community, to which the Donor belonged, to be nominated or elected as the Government may deem fit from time to time, and the other four will be nominated by Government from amongst the public spirited gentlemen of Bangalore from all communities.

(2) The Committee will be in charge of all the properties belonging to the Trust Fund and be responsible for the administration of the Trust Fund. They will also be responsible to carry out the objects of the Trust and also any developments and improvements not inconsistent with such objects. The trust properties will devolve on the new Committee who will hereafter ----- exercise all the functions contemplated by the Trust Deed for the Trust Board and the Advisory Committee.

(3) The Committee shall hold office for five years or such term as the -- Government may fix from time to time, and shall exercise full powers of ---- control over the charities, including the staff, subject to a budget of --- Revenue and expenditure to be approved by Government, and a half-yearly audit by a certified Auditor. Copies of these audit reports should be sent to the Muzrai Commissioner.

(4) The Committee shall meet not less than once in two months to transact business and to review the work of the executive, and shall be presided over by the President, or in his absence, by one of the members elected for the time being to fill up the chair. The President shall have a casting vote.

(5) Five members shall form a quorum, but for an adjourned meeting, no quorum is necessary.

(6) All income of the institution shall be deposited in Government ------ Treasury and operated upon bills drawn up by the President or such other --- person duly authorised by the Committee.

(7) A budget should be prepared for each year in advance and sanction of Government obtained.

(8) A copy of the annual administration report should be submitted by the Committee to the Muzrai Commissioner as early as practicable -- after the close of the official year, and forwarded by the Muzrai Commissioner to Government with his remarks.

(9) It will be open to the Muzrai Commissioner to call for reports - regarding the administration of the trust, inspect their registers, -- records and accounts, conduct enq iry into the administration in case any irregularities are brought to his notice and report the results - of the enquiry to Government.

(10) The Government may remove any of the Members of the Committee for satisfactory reasons.

(11) The Government reserve power to interfere when serious irregularities come to their notice whether on the Muzrai Commissioner's report or otherwise and pass such orders as they think fit re: the removal of the ---- Committee or the modification of the scheme, with a view to remedy the - defects.

5. In accordance with the above scheme, I recommend that the first Committee may be appointed for five years, and Rajakarya Pravina ----- Mr. P. G. D'Souza appointed as its Chairman. The names of the other members of the Committee will be communicated as soon as Government --- give general approval to the scheme.

6. The entire records of enquiry are herewith submitted for reference.

I have the honor to be,

Sir,

Your most obedient servant,

Muzrai Commissioner.

Letter No.C3-2004/30-31 dated 14/15th July 1932 from the Deputy Commissioner Bangalore District to the Muzrai Commissioner in Mysore.

With reference to your memo No.897/29-30 dated the 5th December 193 and subsequent correspondence in the matter of the investigation into the allegations about the mismanagement of the S.L.N. Charities, Bangalore and the framing of a scheme for its better management, I have the honor to sta that the Sub Division Officer, Bangalore held an enquiry under Section 17 18 of the Mysore Religious and Charitable Institutions Regulation. I forw forward herewith a copy of his report.

As a result of his investigation the Sub Division Officer has found that the Board of Trustees appointed by the donor did not function satisfac torily ever since the death of the donor who was also the President of the Trust Board. No steps were taken by the remaining Trustees to fill up the President's place. In fact two of the trustees are reported to have ----- deliberately prevented this, while two others were indifferent. Accounts were not properly maintained. At the instance of the Government the --- affairs of the institution were enquired into by the Director of Industri and Commerce. In 1924, Mr. D'Souza was appointed by Government as the -- President. Later on, an advisory Board consisting of the trustees and a f other members from the public was also constituted. There has been some improvement in the working of the institution since then, but there has be clash between the Trust Board and the Advisory Boards, and the Advisory B Board has, in the nature of things, not been able to enforce its resolution A large sum of money and certain accounts and documents are found to be due from one of the trustees Mr. Thimmarayasetty. A suit has been filed in t court of the District Judge, Bangalore for the recovery of the same. Another trustee Mr. Srinivasalu Naidu is also found to have drawn money without - vouchers and assumed control over the School without proper authority. The has been no regular audit of the accounts of the institution before the -- Advisory Board came into existence. Mr. Thimmaraya Setty is living in a portion of the Hostel Building with his family without paying any rent to the institution. He has also located in the premises of the charities the Jyothinagara Sangha Office and been endeavouring to create rights adverse t the interests of the institution. So far as the enquiries of the Sub -- Division Officer go, Mr. Thimmaraya Setty is reported to owe a sum of Rs. 10,867-7-3 to the Trust. Mr. Srinivasalu Naidu owes also some mney but with regard to this the Sub Division Officer is unable to verify clai in the absence of accounts. It is also clear that both Mrssr Setty and Srinivasalu Naidu have drawn amounts without authority and --

and vouchers, or, are keeping back from the Trust certain moneys due from them and have made payments without vouchers. Messrs Thimmaraya Setty and Srinivasalu Naidu are found to be undesirable to continue on the board. Messrs Venkatapathiappa and Munisami Setty have taken no interest in the affairs of the institution. There has been no harmony among the members of the Trust Board on the one hand, or between the Trust Board and the Advisory Board on the other. In view of all these circumstances, the Sub Division Officer is of opinion that it is very necessary to take the institution under the management of Government under Clause (1) of Section 18 of the Mysore Religious and Charitable Institutions Regulation.

2. I generally agree with the Sub Division in his findings and final recommendation. It is clear that there has been both unauthorised drawing of money by some of the trustees and misapplications of funds. It is also clear that there is a dead-lock in the management of the institutions depending on the Charities. I beg, therefore, to recommend that, as proposed by the Sub Divis on Officer, the S.L.N. Charities may be taken under Government management.

3. I discussed the affairs of the institution with Rajakaryapravina --- Mr. P.G.D'Souza who is the President of the Board of Trustees at present, and also inspected the institution and its accounts. Mr. D'Souza by virtue of his official position as Muzrai Commissioner has during the past three or four years been able to effect considerable improvement in the management but much reliance cannot be placed on the personal influence and effort of a single individual. It is necessary that the institution should be placed on a ---- permanent basis, and a constitution provided for its management which will wor automatically and efficiently.

4. The Sub Division Officer has also submitted a scheme for the better management of the institution. I generally agree to it, but I consider that the strength of the Board of Dharmadarsis proposed by him is too large. A committee of ~~the~~ nine persons is too unwieldy a body. In my opinion a Committe of seven persons is quite adequate. I would propose that the Committee may consist of seven members of whom the Director of Public Instruction should be one, two may be nominated from the Jyothinagara Community and the rest from the general public. Rajakaryapravina Mr. P.G.D'Souza may be appointed as Chairman. If these proposals are sanctioned I shall submit proposals for the nomination of the other members of the Committee.

5. In regard to the powers of the Committee it is necessary that s ould be given much higher powers than are usually allowed in such

The institution has got a considerable income of about Rs.2,000/- a month and there are xp possibilities of increasing it to a very great extent. The activities undertaken by the charities are also numberous and extensive. I would propose that subject to a general budget of revenue and expenditure to be approved by Government and of a monthly audit by certified auditor the new Committee of Management should be given the same powers as are now being exercise by the Board of Trustees. Recently High School Classes have been opened with a well trained staff and there are indications of the institution developing itself in strength and usefulness. It is necessary, therefore, that the same freedom of initiative which is at present assured to the Board of Trustees, is continued to the new Committee of Management also. The new Committee of Management may carry on its correspondence with the Government through the Muzrai Commissioner.

6. The enquiry records and exhibits filed before the Sub Division Officer are also forward herewith.

'Boy'

Ramaiah

for Muzrai Commissioner.

Bm

Proposed scheme for the efficient management of the "S.L.N. Charities otherwise known as Janopakari Doddanna's Charities in Bangalore.

The institution may be made a Major Inzrai Institution having a -- board of Dharmadarsis consisting of nine persons of whom one will be the Convenor or the Chairman. The object of this Board should be to carry into effect and develop the objects mentioned by the donor in the -- instrument of Trust executed by him.

The Director of Industries and Commerce and the Director of Public Instructions in Mysore may be nominated as the members of the Board. Three persons at least from Jothinagara Community may also be appointed as -- members of this Board. Of the four remaining members the non-official President of the City Municipality may be nominated as one of the members while three remaining seats may be filled in by persons of public spirit from all communities. The senior of the two official members for the time being may be appointed as Chairman of this Board. The non-official members may be appointed once in three years by Government. This board must have no executive functions. Its function should be to lay down the policy and exercise a general supervision over the working of the institution. It must have an executive officer of the rank and status of a Deputy Amildar or an Assistant Inspector of Education. The Executive Officer may be a person who is in the service of Government and whose services should be lent to the Board. The Executive Officer will have charge of the institution, the Hostel and the properties belonging to the institution and he must be given an establishment consisting of a Clerk, a bill Collector, a Superviso and one peon. He should also be the Secretary of the Committee.

No member in his individual capacity shall be allowed to interfere with the work of the executive Officer-

The members will be entitled to inspect the accounts and other record connected with the Charities.

The President or Chairman of the Board shall preside at all meetings and in his unavoidable absence, the members shall elect a Chairman for themselves for the meeting. The President or the Chairman of the meetings shal have a casting vote in the event of the votes being equal in number.

The Trust Board shall ordinarily meet once in every two months but a special meeting may be convened by the President whenever there is necessity for it or at the requisition of not less than four members of the Trust Board in writing to the President.

Five members shall form a quorrum for any meeting.

The deliberations of the Board and the resolutions passed shall have a binding force on all members of the board and in respect of all matters that were considered.

The custody of the records and registers pertaining to the Board shall be with the Chief Executive Officer.

The Executive Officer ~~ex~~ is removeable by Government on a Censure -- Motion passed by a majority of two-thirds members of the Board.

The Trust Board shall have power to appoint the necessary teaching staff for the School and the paid staff mentioned for the executive Officer

The Trust Board shall also have powers to remove any member of the staff appointed by them.

It is necessary to have reserve fund for the institution and 10% of its income to be set apart towards the reserve fund.

All income of the institution should be deposited in Government Treasury and operated upon by bills drawn up by the Chief Executive Officer

A budget estimate for each year will be prepared well in advance and after the approval of the Board, necessary sanction should be obtained. This will serve as a senctioned scale of expenditure for the year in questi

The accounts of the Charities should be audited every year by an --- Auditor appointed by the Comptroller and the balance sheet should be submitted to Government through the Deputy Commissioner for orders.

A copy of all the Resolutions of the Board should be sent to the Deput Commissioner as also a copy of the Audit Note.

(Sd.) I. Abdul Hukh,

24-2-1932. Sub Division Officer, Bangalore.

"C o p y"

For Muzrai Commissioner.

In the court of the Assistant Commissioner, Bangalore Sub Division

Muz.Mis.Case.No.8/30-31

Petitioner:- Venkatasami Naidu Vs. Counter-petitioner. Srinivasalu Naidu & others.

This is a case under Sections 17 and 18 of the Mysore Religious and Charitable Institutions Regulation of 1927 taken on file as per Government Order No.D.4418/Edn.801-27-8 dated 27-10-1930 received with Deputy Commissioner's Memo No.C3-204/30-31 dated 22nd December 1930.

The enquiry relates to the allegations of mis-management of the S.L.I Charities popularly known as Janopukari Doddanna Setty's Charities preferred by Mr. Venkatasami Naidu, one of the Trustees of the said Charities. The case was taken on file on 7th May 1931 and after a preliminary hearing of the several warring Trustees the following issues were framed:

1. Vacancies among the Trustees not having been filled up by Messrs. B. Srinivasalu Naidu and Thimmaraya Setti with a view to have a free hand in the institution and the Trust Fund. Whether the Institution suffered due to this failure and if so what was its exact effect.

2. What is the financial condition of the institution now and what are the outstandings. Who are responsible for these outstandings and what is the extent of liability of each member of the Trust to these outstanding items.

3. Have the accounts of the Institution been scrutinised periodically by a properly constituted Auditor and if not what was the reason for such failure and who is responsible for it.

4. What is the relation of the Advisory Board to the Trust Board. How far has this Board worked to bring harmony into the working of the institution and have the meetings been held regularly of both the boards.

5. Has the alleged disagreement among the members in any was affected the smooth working of the Institution and if so how should this be prevented in the future working of the institution. Has any member adopted obstructive tactics.

6. What is the present arrangement for the management of the Hostel and has this been working smoothly, if not, what is the best way of seeing that it runs without any trouble.

7. Have the present Trustees discharged the duties of the Trust according to the Trust Deed and if not what modifications in the personnel of the Trustees is to be effected.

8. Whether competent teachers have been appointed in accordance with any instructions relating thereto by Government and if not why should the Education Authorities not be consulted before the appointment of Teachers.

9. Has Mr. B. Srinivasala Naidu to refund any supervision charges - received and is there any resolution of the Board to this effect. Has this been done, if not what is the action necessary now.

10. Is the Cash Book correctly maintained and are the entries made supported by vouchers. Have all accounts been properly filed. and 11. has there been any attempt to set up alleged adverse claims over the charities by the bringing in of Jothinagar Sangha.

3. Mr. Venkataswami Naidu, Trustee, was represented by Mr. K.V. Subba Rao (Advocate), the President, Trust Board, by Mr. Balakrishnaiya, (Advocate), Mr. Srinivasalu Naidu, trustee, by Mr. Mirle Lakshmi Naranappa (Advocate) and Mr. Yajaman Muniswami Setti, Trustee by Mr. M.S. Narayana Rao (Pleader). The enquiry dragged on as each of these gentlemen desired to safeguard the ---- interests of his client by lengthy cross-examinations. In fact the evidence of the principal witness went on for seven days fully. In the enquiry ---- frequent reference has been made by the Trustees to the enquiry conducted on previous occasions by the President the then Muzrai Commissioner but I had no access to thse records though I tried.

4. Written statements in the case were filed by Mr. Venkataswami Naidu, Mr. Srinivasalu Naidu, Mr. Venkatapathiappa and Mr. D'Souza. Excepting the last named all others were further examined and cross examined by the Counsels.

5. Before taking up the issues a brief history of this important Trust is necessary. The late Janopakari Doddanna Setty was the founder of this institution and the great object he had in view was to impart free Industrial ----- Education to boys of all Communities in general and to the boys of the Jotti Nagara Community in particular. As a further incentive to the Jothinagara Community boys who were very backward in Education, a free Boarding House was also started as an adjunct to the Educational institution. The management of this institution was kept in the hand of the donor until June 1920 and thereafter a Trust was created by a Deed executed by him on 23rd June 1920 which was duly registered. Under this Deed he divested himself of the ownership of the property and entrusted it for the public benefit to a board of Trustees consisting of six Trustees including himself on certain conditions specified in para 2 of the said deed. The donor is now dead and the other Trustees nominated by him are alive. Subsequent to the creation of this Trust he further transferre by Will the undermentioned personal property for the benefit of this Trust and nominated the same set of Trustees as his Executors:-

a. The amount of Rs.4000/- due by Mr. K. V. Ramanuja Iyengar

b. Deposit of Rs.2600/- in S.B.Account.

c. One shop building situated in Commercial Street, C & M Station.

d. One Flower Garden within the limits of C & M Station (near Bangalore East Railway Station.)

and e. Amount of Rs.2000/- due by Mr. Munisami Setti who is one of the -- Trustees.

6. The original will could not be seen by me as it is stated to have been filed in the District Court. One of the Trustees viz., Mr.Srinivasalu Naidu had become the right-hand man of the donor during his life time in the management of the Trust and was in consequence considered as the most important member of the Trust. The donor died on or about 10th August 1921 and Mr. Srinivasalu Naidu naturally stepped into his shoes as he had full knowldge of the details relating to the Institution. This dominating position seems to have swelled his head and gave occasion to serious misunderstandings between himself and the other Trustees as he began to act in an arbitrary way. The place of the Trustee and President which fell vacant by the death of the -- Donor was not filled in for 2½ years due on the one hand to the reluctance on the part of Mr. Srinivasalu Naidu to have any one superior in authority than himself in the institution and on the other due to serious misunderstandings among the Trustees themselves. It was during this period that Mr. Venkatasami Naidu resigned from the Trusteeship but withdrew again his resignation sometime afterwards due to the urgent persuation of his friends and other well-wishers of the institution, vide Ex.A1. It will be seen that during this period ---- there were only four Trustees left in charge of the Institution. Of these Mr. Venkatapathiappa was illiterate and was taking no interest in the Charities while Mr. Muniswami Setti was taking no direct part in the management. Thus there were only two trustees left viz., Mr. Srinivasalu Naidu and Mr. ---- Thimmaraya Setty who began to work against each other for supremacy in the Institution. Naturally therefor the affairs of the Institution began to go from bad to worse and complaints began to be made to Government. As a -- result the President, the then Director of Industries and Commerce was deputed to inspect the Institution, enquire into the complaints preferred and report to Government on allegations made. The notices thereafter issued by the - President to each of the Trustees detailing some of the irregularities particularly in respect of the accounts are detailed in Ex.A.2. Government thereafter nominationed Mr. D'Souza as one of the Trustees and he was also appointed as President of the Trust. His first act was to constitute an advisory Board under the Trust Deed and to nominate Messrs. Sankar Narayana Rao, K.H.Ramiah and Ramachandra Rao Sindha as additional members of the Advisory Board which

which included the trustees. Mr. Venkatasami Naidu was then elected as Secretary of the S.L.N. Charities, A Trust Office was also formed and account Books opened.

7. The full responsibility for the satisfactory management of the Institution thereafter devolved on the newly constituted Board and it was thought that things would improve thereafter. The President then deputed one of his office Accountants to audit the accounts of the "Charities" from the date of the constitution of the Trust to 31-12-1924 i.e., up to the date on which Mr. D'Souza became the President of the -- Trust. The Audit Note Ex.A.3 brings several very grave irregularities to light and the resolution of the Board passed on the Audit Note on 8-3-1925 records the definite action that has been proposed to be taken only in respect of certain dues. This is a very important resolution and is marked Ex.A.4. As a result of this Audit and the resolution thereon and also as a result of some further investigation it was found that Mr. Thimmaraya Setty, one of the Trustees, was liable to pay back to the Trust a sum of Rs.10867-7-3 recovered by him from the debtors as this amount had been transferred by the donor to the Trust Fund. In addition to this he was also alleged to be in possession of certain accounts and documents which he refused to surrender to the Trustee For the recovery of the money and the documents a suit is said to have been filed in the Court of the District Judge, Bangalore, as O.S.No.17 of 1926-27. The Audit note referred to already disclosed that Mr. Srinivasalu Naidu had to account for Rs.2700/- which he drew as supervision charges at the rate of Rs.5 a month from July 1918 to December 1924. Ex.A.7 is the resolution of the Advisory Board. The case against him is that Mr. Srinivasal Naidu was an Honorary Manager of the School attached to the Charities and was not therefore entitled to take any remuneration on account of his position as a Trustee -- since he is not entitled therefor under the law. This aspect of the case -- was further supported by the fact that Mr. Srinivasalu Naidu was in Government service at the time and was therefore debarred from being employed as a paid functionary in any public institution. The Trust having been constituted only in June 1920, it is not open to me to go behind this date and to enquire about any alleged irregularities that may have taken place prior to that date It is further seen that the late Donor has accepted the accounts up to the - end of June 1921 and has either drawn and taken the supervision charges himself or paid these to some unnamed person or persons. It is therefore -- to take into account the transactions relating to this item up to the end of June 1921.

therefore unnecessary for me to take into account the transactions relatin to this item up to the end of June 1921. From 1st July 1921 to 24th December 1924 Mr. Srinivasalu Naidu has drawn Rs.1800/- as supervision charges and Rs.352/ as Hostel Grant bringing the total to 2152/- and this has to be accounted for by him. His explanation is that a sum of Rs.1000/- out of this amount has been funded by him as Govinda Narayana Fund and that the interest thereon is being utilised towards the payment of Examination fees to students selected from this school for the Lower Secondary Examination. It is further stated by him that Government had sanctioned a grant of Rs.25/- for the Educational supervisor to the Institution and that he has discharged these duties from 15-3-1920 to 30-6-1924 without taking any money from this grant which was taken credit of in the accounts of the Institution. He has claimed a set off against the demand made and stated that the demand has to be reduced by a sum of Rs.1287-8-0. He therefore contends that he is only answerable for a sum of 187-8-0 vide Ex.A.9. He seems to depend for the claim of Rs.25/- allowance per month preferred by him on an order of the Inspector General of Education in which he was appointed as Educational Supervisor on Rs.25/- per month vide Ex.D.16. I consider that this is no authority for him since the Departmental head wherein he was employed had apparently no knowledge of this and has not authorised him to function in this capacity. For ought I know, the Inspector General of Education might have issued the said order in ---- complete ignorance of the official position of Mr. Sreenivasalu Naidu. For this reason as well as for reasons already stated by me in respect of the money drawn by him as Manager of the Charities, I consider that he is not entitled to Educational Supervisor's remuneration and as such his claim for a rebate cannot be admitted or allowed. Mr. Sreenivasalu Naidu's refusal to surrender the amount in his hands minus the money already funded by him as Govinda Narayana Fund which the Board has accepted to take up is entirely unjustifiable and he cannot be permitted to utilise this money either for erecting the statue of the donor or for any other purpose which his fancy might dictate. He should have been required to surrender this amount ----- unconditionally and it was for the Board to have considered how best to utilise this amount for the benefit of the -- institution and to have enforced their resolution. From the resolution of the Board dated 24-11-26 however, it is seen that the Trustees agreed to -- permit Mr. Sreenivasalu Naidu to erect a Memorial Shop out of this money in a site selected by them. Instead of enforcing the resolution of the Board, matters seem to have drifted without any definite action up to the date of the enquiry.

Even the transfer of Govinda Narayana Fund to the Trust Board has not been effected till now. and from the enquiry conducted by me in the case I doubt very much whether Mr. Srinivasalu Naidu would take any action voluntarily towards the payment of the money due by him to the Institution.

8. Having narrated the salient features of the case the issues framed will now be examined in the light of the material placed before me.

9. The first issue refers to incidents that took place between the death of the Donor in 1921 and the constitution of the present Board in 1924. In narrating a brief outline of the case I have shown how the affairs of this important institution had practically gone into the hands of Mr.Sreenivasalu Naidu and Mr. Chimmaraya Setty each of whom was trying his best to obtain mastery of control over the destinies of the institution. The result of this selfish action on the part of these two trustees was that the financial condition of the Trust became worst and that the Trust had no money to meet even the ordinary monthly charges of the Institution. The complaint being against the corduct of some of the Trustees whom the Board was apparently unable to control, it was considered necessary to examine what their past conduct has been in respect of the institution and what adverse effect it had on the --- Charities. One effect of that mismanagement was the unauthorised drawing and utilising of moneys by some of the Trustees about whom even the present Board has filed to take any definite action up to date and all that they have done during this long period of 7 years is the passing of some pious resolutions without trying to enforce them. In this connection I am referring to the moneys due by Mr. Sreenivasalu Naidu which have already been narrated above. Among the defects pointed out by the Auditor vide Ex.A.3 it is seen that certain payments are not supported by vouchers and that Receipts and Expenditure did not tally with the opening and closing balances. The reconstituted Board does not seem to have taken any action in respect of these grave irregularities - till now or to have taken any steps against the Trustees who were then in charge or to have recovered the moneys in their hands at the time and which have not been accounted for as revealed by this discrepancy in the accounts. I therefore hold that the failure to appoint a successor to the late Donor who should also have functioned as President for 2½ years has had an adverse effec on the institution from which it has not yet recove ed.

10. A statement of accounts and expenditure from 1924-25 up the close of 1930-31 has been filed by the President with his written statement. As the corrections of the accounts has not been challenged I have accepted the same.

I could not myself verify these statements with the accounts due to the fact that the accounts of the institution have been file in the District Court and I could not obtain the same inspite of requisition. The financial condition of the institution is seem to be improving year after year ever since the present Board came into existence. This is the only redeeming future of the Administration of the Trust by the present Board. I must however state in this connection that the finances would have been much better if some sort of control had been exercised on Mr. Thimmaraya Setty who is one of the Trustees as he is seen to be collecting rents without fully crediting the amount to the institution. No rent has so far been recovered from --- Mr. Thimmaraya Setty for his occupation of a portion of the Hostel and no action has also been taken to enforce his liability. In several cases -- Civil Court decrees against persons are seen to have been obtained but --- execution proceedings have not so far been taken.

11. The liability of Mr. Sreenivasalu Naidu to the institution to the extent of Rs.2152/- with interest thereon has not been enforced till now. How this amount is accountable by him has already been described while ---- narrating the outlines of the case. As regards the liability of Mr. Thimmaraya Setty in respect of certain moneys bequeathed by the donor to the Trust but recovered and utilised by Mr. Thimmaraya Setty a suit has already been filed. In addition to this amount he has also got to refund the rents collected by him and which have not been so far remitted to the Trust Fund. He has also to pay the rent on the building which he is occupying in the Trust property and action should also be taken to evict him therefrom since he has taken an attitude adverse to the interest of the Trust by setting up a private claim on the Trust property. It has been vaguely hinted that the Board has withheld payment of certain monies due to Mr. Thimmaraya Setty as a set off against his liabilities to the Board. In the absence of a clear Audit note explaining the items due by the Board to him and details of Thimmarayasetty's liability to the Board I am unable to find out how far this statement could be accepted. Accounts too are not before me to determine this point. Item E in the Will of the late Donor bequeathes a sum of Rs.2000/- due to him by Mr. Munisami Setty who is not only one of the Trustees but also one of the Executors of the Will This amount has not so far beeen recovered due to the counterclaim set up by Mr. Munisami Setti. It is stated that Mr. Sankaranarayan Rao a member of the Advisory Board was consulted on the legal aspect of the case vide Resolution the Advisory Board dated 9-2-26. His opinion has not been filed but from the statement of Mr. Venkatasami Naidu it is seen that Mr. Sankaranarayanrao

Mr. Sankaranarayana Rao a member of the Advisory Board was consulted on the legal aspect of the case Vide Resolution of the Advisory Board dated 9-2-26. His opinion has not been filed but from the statement of Mr. Venkataswami Naidu it is seen that Mr. Sankaranaryana Rao's legal opinio was against enforcing the claim. This matter does not seem to have bee consider d yet by the Trust Board and any resolution so far recorded. resolution of the Advisory Board has no binding authority and until this matter is considered by the Trust Board the question cannot be considered to have been closed. The dilatory way in which such important financial matters have been dealt with by the Board is disappointing. I have also mention in this connection that the Insurance amount from the New York Li Insurance Company which stood in the name of the Donor and which he had bequeathed to the Trust was drawan by Mr. Srinivasalu Naidu but there see to be no receipt or reference about this in the accounts. The Board does not appear to have considered this matter and it seems necessary to invest gate and find out how and in what way this amount had been utilised withou its having in the first place been remitted to the Institution Funds.

12. The only audit note that the Board had a chance of considering was Ex.A3 and this relates to the condition of the accounts up to June 1924. There has been no regular audit ever since though it is stated that some subordinate officials of the President had been deputed on two occasions for auditing the accounts but the result of their audit was a closed book so far as the Board as a whole was concerned. It might be that the -- resident was apprised of the state of the accounts by the Auditor, but as the matter did not go beyond the President and his Auditor, the alleged audit was of no practical use. I have to state in this connection that the employment of an official subordinate of the Department which was under the control of the President was not quite correct as the Auditor was not an independent person who could lay bare all the irregularities committed in the accounts by the members constituting the Board for which the Trust Board in its entirety was responsible. The Auditor note, though defective from the point of view already e pressed, had not seen the light of day until t the issues were framed by me hen the President sent the same direct to the - court. I o ld have be n very lad to at least check and verify some of the items and satisfied myself as to its accuracy had the accounts been before me. But as the said accounts are in the District Court and could not be had by me I was prevented from satisfying myself as regards the accuracy of the Audit Not

For this reason as well as for the incompetency of the Auditor to act --- independently and also for the reason that the audit note has had no -- opportunity of being scrutinised and considered by the Trust Board I think that it is best to ignore it. As there has been no satisfactory audit of the accounts till now ever since the reconstitution of the Boadrd from 1924 it seems absolutely incumbent to subject the accounts to a -- thorough independent audit and until this is done we will have no correct idea as to the state of the accounts and items outstanding against ~~the~~ either the members of the Board or others including the paid employees of the Board. I consider that the responsibility for failure to have the accounts audited regularly at least once a year falls on the Board.

13. It is seen from the evidence on record that the Advisory Board was brought into being for giving expert advice to the Trust Board in the management of the Charities. This Advisory Board was in the nature of a committee contemplated in the last para of the Trust Deed and it was never intended to supercede the Trust Board by such a Committee. In actual practice it is seen that the advisory Board tried to dominate the situation by making rules whereby its resolutions were contemplated to be made binding on the Trust Board. The Trust Board as we know consists of 6 members and 3 members thereof are seen from the evidence to be not seeing eye to eye with the President. These three members are Mr. Sreenivasalu Naidu, Mr.Thimmaraya Setti and Mr. Venkatapathiappa and as such the President was unable to carry out his ideas. He seems to have therefore been making free use of the -- Advisory Board with the help of his nominees to get any resolution passed. Two of the members of the Board have also brought into question the attitude of the President and have openly accused him of partiality vide Ex.A.19. The result of this was that certain members of the Trust Board began to --- question the authority of the Advisory Board which was superceding in practice the authority of the Trust Board and began not only to defy its authority -- but to openly show their resentment by gratuitous insults. The present impas se and strong feeling among the coopted members of the Advisory Board and a few members of the Trust Board seems to be due to the existence of the ---- Advisory Board. It has to be acknowledged that the lattter Board has no doubt done some very good and substantial work for the institution but the other result that has also unfortunately ensured by its existence is the intensifying of the feelings among the members. I therefore think that in any new working scheme the committee contemplated under the Trust deed should only function as a purely Advisory Body on matters referred to it by the --

the parent body viz. the Trust Board and that the Advisory Board in its present form must cease to exist. So far as meetings are concerned they do not seem to have been held in respect of the Trust Board for a very long time but meetings of the Advisory Board have been held from time to time and work is being carried on. The Advisory Board has practically replaced the Trust Board.

14. In dealing with the fourth issue I have also to mention how the existence of the two Boards has tended to intensify the existing disharmony among the members. As an instance of the defiant attitude of some of the members against the authority of the two boards and a direct interference in the smooth running of the Institution I refer in particular to the charge of the Hostel by Mr. Thimmaraya Setty for two yee against the express resolution of the Board. In order to prevant members from thus directly interfering in the future management of the institution the Trust Board must be divested of the Executive function with which it is now entrusted and a separate Executive officer should be appointed for giving effect to the policy laid down by the Board and to carry out the resolutions that it passes from time to time. This will effectively prevent the interference of the Board members either with the School or Hostel or even with the collection of rents and the Execution of Decrees etc., and there will then be no occasion for the objectionable correspondence that seemed to have passed between certain members and the resolutions of the Board thereon. Vide 50 enclosures to Ex.A.27

15. The Hostel is at present managed by one of the members of the --- Advisory Board viz., Mr. Ramachandra Rao Sindhe. This assignment of an Executive function to a person whose function is purely advisory is not contemplated either in the Trust deed or in the Rules of the Advisory Board. Though this gentleman has been doing very good honorary work yet I must say that his appointment as such was due to the action of the --- Advisory Board and that this is responsible as another contributing factor in intensifying the factious feeling among the members. The appointment of the Executive Officer suggested in the preceding para and the placing of the hostel in his charge would in my opinion go a great way in the -- satisfactory working of the institution.

16. Taking the present Trustees we have five persons excluding the -- president who is a Government nominee. Mr. J.Y.D. Thimmaraya Setty, is

is the son-in-law of the late Mr. Janopakari Doddanna Setti, the donor. It is seen that he had been entrusted with a sum of Rs.2630/- by the late donor for the purpose of earning interest for the benefit of the institution. He has not till now accounted for this money. It is also seen from evidence that he has been recovering rents from certain properties and not delivering the same to the institution. He is in occupation of a portion of the Hostel building where he lives with his family and in exercising private rights -- thereon to the detriment of the interest of the institu ion. He has also been instrumental in locating in the Charities the Joti Nagara Sangha Office, ---- jeopordising the position of the charities by the creation of future rights on the property which are not consistent with the provisions of the Trust Board Deed. The Board as a body has done practically nothing till now to evict the Sangha and it looks as though the existence of this Sangha here will lead to some future litigation and result in needless expenditure of the Trust -- Money. Neither the President nor the Board as a whole has vouchsafed any -- explanation for this inactivity on their part in this connection. It is also seen that the Board has filed a suit against him for the recovery of the ---- monies due by him to the Charities and for the recovery of certain ----- important documents alleged to be in his possession. The Board has also sought for order of the court to remove him from the Trusteeship. The charges narrated against this Trustee are serious and as his acts are distinctly --- hostile to the Trust I consider him to be unworthy and unfit for continuing any longer as a Trustee.

17. Taking next Mr. Srinivasalu Naidu, it has been already pointed out how he is evading payment of certain monies due by him to the Trust and how he has brought a dead-lock with the help of Mr. Thimmaraya Setty and Mr. Venkatapathapp in the functioning of the Trust Board and how as an expedient the President is carrying on the work by supplanting the Trust Board by the Advisory Board where he is able to obtain a majority in his favour by the official block if I may use the term. Again during the period that Mr. Sreenivasalu Naidu had the masterhand in the affairs of the charities the method of maintenance of the accounts by him throws a considerable suspicion on their accuracy. vide Audit Note of 1924.) Sometime ever after the formation of the New Board he has had charge of some accounts and even here it is not nown how far the accuracy of the same could be depended upon since he has failed to render the accouhts till now. I am referring in this connection to the Hostel accounts between 1928-and 1930. However useful he might have been to the institution in its

early sta es he has ceased to be so now due to the most unreasonable and what appears to me to be, the most selfish attitude ado ted by him Unless he surrenders all the money due by him to the charities and returns the accounts etc., in his possession with satisfactor ex lanation of the Income and Expenditure shown therein and ceases to aid or abet in the creation of adverse claims and rights in the Trust property I do not think that he is fit for the occupying the responsible position of the Trustee of the charities. I have also to refer here in partic lar to Ex.D.7 which is purported to be a Will, perhaps the first Will of the Donor in the custody of Mr. Srinivasalu Naidu and was produced to the Court by the latter. It is seen in this that he has seored out certain portions beyond the possibility of finding out what the writing was. A man who has tampered with the Will is guilty of a serious offence and this action on his part renders him unfit and untrustworthy to hold the position of a Trustee.

18. Mr. Venkatapathiappa is an illiterate person and se ms to understand very little about the needs of the Institution or the steps taken from time to time for satisfying such needs. He is there only as he happens to belong to the Jothi Nagara Community as the latter can put forth no bett candidate from amongst them on account of their extreme backwardness in Education. There is no harm in our allowing to continue him but the Institution will not be benefited in any way by his stay.

19. Mr. Munisami Setti is like a sleeping partner in a firm. He t very little interest in the institution and can be swayed either way by slight persuasion by interested parties. He was serving only as voting unit and was otherwise of no use to the institution.

20. Mr. Venkatasami Naidu seems to me to be the only member who ha so far worked disinterestedly and whose one aim seems to be to develop institution as an Industrial High School. Had it not been for his enu and self-less work the drawbacks in the Institution would not have come light.

21. The teachers appointed at present seem to be competent enough as the idea is to raise it to the status of a High School the teacher appointed here should be so appointed in consultation with the Educati Authorities. Whatever the qualifications of the members of the Board I do not think that all these understand the difficulties of the tech side of the Education and it is therefore all the more necessary

have expert opinion of the Department before selection is made.

22. The Advisory Board is stated to have passed some resolution after the institution of the$ case particularly in respect of the refund of the money by Mr. Srinivasalu Naidu. The President in his written statement says tha the court must accept this resolution. It was known to him that the question raised was sub judice and that no action ought to be taken by him to counter-act any decision that might be arrived at. I have dealt with the liability Mr. Srinivasalu Naidu in dealing with the second issue and I am strongly of opinion that any resolution of the Board at this time in cancellation of all previous resolutions on the matter is most ill considered and has to be vetoed

23. As regards the maintenance of accounts, I must state that failure on the part of the Trust Board and the Advisory Board to subject the accounts to an independent audit was a very grave irregularity. In fact there has been no kind of audit at all till now from 1924 and the result of some audit by an Official subrodinate of the President was a sealed Book so far as the Board was concerned. It was only while submitting his written statement that the President has sent a copy of the so called Audit note and I am prevented from finding out the accuracy of the Audit due to the Account Books not being --- available to me. As already stated in para 12 of this audit note has not been considered even by the Board and I cannot therefore accept it. It is essential that the accounts are subjected to a detailed audit by an independent auditor whose services may be indented for from the Comptroller and unless this is don it is impossible to state what the state of the accounts actually are or even to fix responsibility in the matter.

24. In dealing with the competency of Mr. Thimmaraya Setti I have dealt also with the last issue raised and have stated how the existence of the Joti Nagara Sangha here will adversely affect the ~~xxxx~~ interest of the Charities in the property. It is therefore needless for me to deal with this matter again.

25. I have dealt at some considerable length with the details of the case before me and have tried to show how the affairs of the S.L.N. Charities Trust inspite of the reconstituted Board and also the appointment of the Advisory Boa have not been quite satisfactory. The President too has not been able to -- bring harmony and to work smoothly in the Board. The expedient adopted by him of carrying on the work solely through the Advisory Board no doubt served don sometime but it ought not to be permitted to replace and supplant the Trust Board. Several very grave shortcomings and defects have already been fully dealt with in early part of this preamble and I have shown how a majority of the members of the Board are unfit and unworthy to function any longer as

Truste

26. In view of the grave irregularities that have been brought to light relating to the mismanagement of the Institution it is very necessary to take the Institution under the Government management under Section 18(Cl.1 of the Mysore Religious and Charitable Institutions Regulation. A tentative scheme for the proper management of the institution and the properties -- belonging to it is drawn up for the consideration of the higher authorities.

(Sd.) M. Abdul Hukh,

23-3-32. Sub Division Officer, Bangalore.

"C o p y"

For Muzrai Commissioner.

OFFICE OF THE FINANCIAL ADVISER
3 - No M 148.
GEN. & REV. SECT. 845 6 FEB. 1933 MUZRAI.

To

RAJAKARYAPRASAKTA

DIWAN BAHADUR M. N. KRISHNA RAO, Esq., B.A.,

First Member of Council,

Bangalore.

Respected Sir,

The late Janopakari Doddanna Setty founded the well-known S. L. N. Charities in Bangalore City; on which, including the endowments he spent nearly 2 lakhs of rupees. As long as he was alive he was directly managing these Charities with the help of Mr. B. Srinivasalu Naidu. He died in the year 1921. Two or three years before his death, he constituted a Trust, appointing himself, 3 Members of his community viz., Mr. J.Y.D. Thimmaraya Setty, his brother's son-in-law, Venkatapathiappa, his brother-in-law and Y. Muniswamy Setty, a relative of his and 2 of his friends viz., B. Srinivasalu Naidu who, from the commencement of the Charities, was closely associated with him and Mr. M. Venkataswamy Naidu. The Institution continued to be conducted on the lines laid down by the late Janopakari, for sometime after his death; but, on account of differences between some of the Trustees, there was a danger of the Institution coming to a stand-still. As the Institution was primarily intended to be a vocational Institution and receiving a grant, Rajakaryapravina Mr. P.G.D'Souza, who was then the Director of Industries and Commerce, intervened and as he was an intimate friend of the late Janopakari, we appealed to him to take up the place of the late Doddanna Setty, as President and guard the Institution. He very kindly consented to strengthen the Management of since 1924, he has been in charge. He induced Messrs. K. H. Ramaiya, K. Shankaranarayana Rao and Ramachandra Rao Sindia to serve on the Advisory Board, for the appointment of which the late Janopakari had provided in the Trust Deed. The Advisory Board Members have been invited to all the Meetings of the Trust Board and the management of the Institution has been conducted by the Trust and Advisory Boards since that time.

3/2/33

The Connected file has been submitted to the Financial Secretary with a draft G.O. for Consideration. If approved, this will be placed in that file submitted for orders.

6/2/33

Yes please

6/2/33

OFFICE OF THE FIRST MEMBER
No. M 148.
GENL. & REV. SECT. 845 6 FEB 1933 MUZRAI.

To

RAJAKARYAPRASAKTA

DIWAN BAHADUR M. N. KRISHNA RAO, Esq., B.A.,

First Member of Council,

Bangalore.

R. 7 1931

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M.P. 3/2/33

The Connected file has been submitted to the Financial Secretary with a draft G.O. for Consideration. If approved, this will be placed in that file submitted for orders. M. 6/2/33

Yes please. 6/2/33

2 In order to attend to the routine work of the said Boards, Mr. Venkataswamy Naidu was appointed Secretary. We regret to say that it was Mr. Venkataswamy Naidu who was responsible primarily for the differences that accrued as stated above, soon after the death of the late Doddanna Setty; and this fact seems to have been always working on his mind and to a great extent many of the difficulties that arose in the Institution, seem to be due to his attitude. As he found it difficult to make us support some of his acts, he did as Secretary, which we are prepared to prove, grossly irregular. He has been doing his best to destroy our authority. Most of us are old and we are anxious that this Trust should be placed on a proper and permanent basis and we are willing to co-operate with Government in every possible way with this object We were however surprised to be summoned by the Muzrai Commissioner and the Sub Division Officer, Bangalore Sub Division, in connection with some representations regarding irregularities in the Institution and though we need not have agreed to such an enquiry as the matter concerns a Trust, for which the law has provided other means of investigation, we appeared before the Sub Division Officer and answered all the enquiries.

3 We are not aware as to what further action Government have taken on this report. Mr. Venkataswamy Naidu gives out that he has made out a case before Government for the removal of the Trustees. As we have already stated, our main object is to see that this Trust is not endangered by the intregues of any of the Trustees; but before Government take any final action, we beg that we may be furnished with a copy of the Sub Division Officer's report and given an opportunity of meeting the charges against us. We have studiedly abstained from making allegations against Mr. Venkataswamy Naidu and apart from the part he has played more than once in wrecking the Institution, a kind perusal of the Audit reports and specially the review made by Trustee, Srinivasalu Naidu (which has been submitted to the President of the Charities and though Mr. Venkataswamy Naidu has been asked to give an explanation he has been putting off on some pretext or other) will clearly show

that he has been guilty of grave irregularities. Since 1924 the Institution has been under the management of a responsible body consisting of gentlemen of high status in the City of Bangalore, besides the Trustees; and it has been administered not only so as to carry out the objects of the Trusts, but to develop it in all directions. The Institution which was started as a Middle School has now been raised to the status of a High School and while the Institutions like the National High School, which is supported by public subscriptions and receive a large grant, find it difficult to maintain the Institutions, we have been able to do this with our unaided resources. We have also greatly improved the Technical side of the Institution by adding Weaving and Tailoring Classes and giving facilities for instruction in other industries. The income from the properties is systematically utilised and conserved and we have undertaken many improvements to add to the income of the Institution.

4. The extraordinary powers that Government can exercise under the Charitable Endowment Regulation are not intended to be brought into operation except when the ~~stability~~ stability of the Institution itself is endangered and no remedical measures are possible.

5. We respectfully urge again that we are prepared to co-operate with Government in framing a suitable scheme for its future administration and provide for its smooth-working. We request however that any action that Government may take should not be such as to ignore the work we have been doing in keeping this Institution alive for nearly 12 years, maintaining it in a high state of efficiency and disregard the Trust reposed in us by the Founder. If there are any matters which Government consider should be set right by the individual Trustees or anything has to be done by them, specifically, we agree to abide by the directions of Government in such matters. We request also that as the President of the Institution is personally aware of all the facts he may be requested to furnish his opinion in regard to these matters.

We beg to remain,
Respected Sir,
Your most obedient & humble servants;

Bangalore City.
Dated 3rd February 193.

B. Venkatarama Aiyar

RAJAKARYAPRAVINA
G. D'SOUZA, B.A., B.L.
RETIRED MEMBER OF COUNCIL
MYSORE STATE
RESIDENT S. L. N. CHARITIES

31, GRANT R
BANGALOR

GEN... SECRETA...
113
26 JUL 1933
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25 JU... 33
No

CONFIDENTIAL.

Dear Sir,

With reference to your D.O. ... dated 19/20th July - 193..., the matter on which it ... be best settled in the interests of the Institution ... to the views of Government is still under ... Trustees and I expect to come to ... Week's time.

The Institution has been ... High School Classes having been ... Industrial Classes improved. The question of ... Vocational High School is being worked out with the Municipal authorities. The income from the properties is also being improved some of the buildings for which the late Janopakari Doddanna Setty had put the foundations are now being completed and rental value is raised. The Institution is working satisfactorily in every respect. The Trustees have co-operated fully in these improvements. I shall try to get the matter finally settled as soon as possible and address the Government again after a fortnight.

Secretariat Council
26 JLY 1933
No. 2029

Yours sincerely,

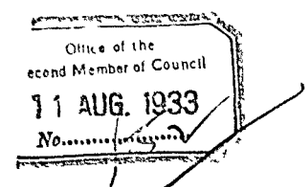
President.

A.N. Raghavachar, Esq., M.A.,
Financial Secretary to Government.

Mus 33 e-32

Please put- Forwarded with Compl
To up with the file + Second Member —

Apl 7/8



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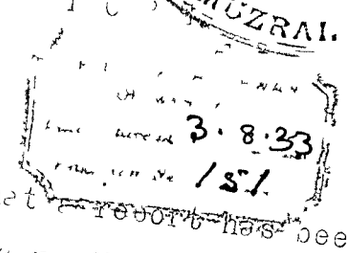

S i r,

As we are given to understand that a report has been made by the Muzrai Commissioner regarding the management of the S. L. M. Institution and Charities and the matter is now pending orders of Government, we beg to make the following representation in that connection. The said Institution has, by our unaided efforts, been so far maintained at a proper standard of efficiency. What was originally a small Middle School with an attendance of nearly 300 pupils, has now been converted into a High School, with a specially competent staff, consisting of 3 L.T.,B.T.'s, 1 L.T.,B.Sc., 1 L.T. and other graduates of high academic distinction. The total strength of the School is now more than 800 and the monthly recurring expenditure Rs.1700/- as against Rs.1000 before the High School was opened. Next year we expect to have in the High School Classes alone about 600 students. The cost of the new High School is now met entirely by the Charities as the Director of Public Instruction has stated, that owing to financial stringency, Government are not able to give a Grant. The results last year both in the Middle and High School Examinations were the best in the State, the percentage of passes being 80 for the Middle School and 76 for the High School. The School now provides for a complete course of practical instruction of the Middle School standard in Carpentry, Lacquer ware,

SL

Rattan work, Weaving and Tailoring. Metal wor[k] inc[.] also been introduced and a workshop is in the course being fitted up. Steps are also being taken in consulta with the Education Department under the instructions the First Member of Council to introduce a vocational type of High School from next year. The income from Trust properties has been greatly improved so that fro our existing resources alone we have been able to meet the extra expenditure involved in opening the High Scho steps have been taken to complete many of the buildings of which the foundations were laid by the late Janopakar Doddanna Setty, so as to yield a good return on the investments. A new Hostel for the benefit of pupils of other communities, besides the Jotinagara Community, for which alone the late Janopakari Doddanna Setty had provided is also in the course of construction. The Temple and monument erected over the grave of the late Janopakari has been partially completed. We have employed an auditor to audit our accounts every month and thus no irregularities can take place without their immediately coming to notice. It will thus be seen that everything possible has been done to give effect to the intentions of the Donor and the present condition of the Institution and the Charities can challenge comparison with any other Institution of the kind, Government or aided, in the State.

In order to make the scheme contained in the Trust Deed executed by the late Janopakari Doddanna Setty work most effectively we have as far as possible done our best to supplement it. It was with a view to procure the best assistance that we could obtain in the City of Bangalore, that we prevailed upon Rajakaryapravina Mr.P.G D'Souza to join the Trust Board so far back as 1924 and become its President in place of the late Janopakari Doddanna Setty with the approval of the Government, and he

has been closely associated with the Institution since then. At the same time we appointed an Advisory Board as directed in the Trust Deed, of well known gentlemen, such as Mr. K. Shankaranarayana Rao, Law Justice of the High Court, Mr. K. N. Kamaiya, Registrar of Cooperative Societies, Dr. Parthasarathi Reddy, Health Officer, who belongs to a closely allied community Dr. Paul Chinnappa, Deputy Director of Public Instruction and Mr. M. Ramachandra Rao Scindia. With their help the Institution has now reached the highest possible standard. We feel, however, that it will be in the interests of the Institution if a new scheme can be introduced under which Government can directly exercise control over the Institution and we are therefore prepared to co-operate with them for this purpose.

We are all old and when vacancies occur in the Trust Board, as must be expected in the ordinary course of the events, it will be difficult for us to select suitable men to act as Trustees for the management of this important Institution and we are most anxious that the gentlemen selected should be persons of high standing, capable of rendering devoted service for which we would need Government help. The provisions of the Trust Act, as is well known are hardly suitable for the management of an important Charity of this kind as its provisions cannot be enforced except by means of expensive litigation and whenever need is felt for recourse to these provisions even the stability of the Institution itself may be endangered. We consider therefore that, having regard to the magnitude of the Institution and the need to place its future management on a permanent basis, some steps should be immediately taken to introduce a much simpler method of administration and a more intimate connection with a direct responsibility to the Government. There-

fore

Therefore we are agreeable to Government assuming control of the Institution and forming a Committee for its management under their supervision. The Institution should retain its character of a private charitable Institution and the continuity of the policy of the late Janopakari Doddanna Setty should be assured. This Committee should continue to have as far as possible all the essential features that characterise the original Trust, created by the late Janopakari, including the predominance he intended to give to the members of his community and the persons originally associated with him and selected by him to carry out the objects of the Charities.

According to the Trust Deed there were four Trustees including the late Doddanna Setty, belonging to the Jotinagara Community, all of whom were more or less related to him and of others viz., Messrs. B. Srinivasalu Naidu and M.Venkataswamy Naidu. In view of the facts that the Trustees have been able to keep up the Charities running for very many years at a considerable sacrifice of their own energies and at some cost to themselves and enjoyed the confidence of the late Janopakari Doddanna Setty, they should continue to be intimately associated with the new constitution until they die or voluntarily retire or have to be removed for any grave misconduct. On jotinagara Members ceasing to be members, only members of that community should be appointed in their places and in place of others, men of status to be selected by Government as far as possible consistently with the aims and intentions of the Donor.

So far as we could see there have been no grave embezzlements or misappropriations in the management of the said Charities; but there are merely certain points

of dispute with some of the Trustees regarding certain monies alleged due to be to the Trust the grounds for which are not free from contention. In regard to one of these viz., amounts due from Mr. Thimmaraya Setty, the matter is before Court and final decision of the Court may be awaited or the New Committee authorised to settle the same to the best advantage of the Institution. The others involve comparatively small sums. As has been stated, all of us have given our services ungrudgingly and as such we may be allowed to settle these small disputes ourselves.

At present the Governing Body of the Trust consists of the life-time Trustees and the Advisory Board, nominated by them. These two may be amalgamated and will constitute the future Governing Body of the Charities. All the existing Trustees will be appointed to the Committee and hold office for life, unless removed for misconduct. The Members ~~xx~~of the Committee representing the Advisory Board or such other members as Government may deem necessary will be nominated by Government and should be men of influence and weight. These may be re-appointed once in three years. So also the gentlemen selected to replace existing Trustees whenever their places become vacant. This Governing Body will have a Chairman to be appointed and removable only by the orders of Government. We have no doubt that the Government will, as long as he is willing to serve, allow Rajakaryapravina Mr. P. G. D'Souza to continue as Chairman as the present flourishing condition of the Institution is due primarily to his guidance and control. The administration and management of the Charities will be made over to the Committee, who will exercise complete authority in respect thereof. The executive authority of the Committee will be exercised by the Chairman, subject

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subject to such rules, as may be framed on this behalf. The accounts of the Institution will be audited every half year and submitted to the Government. An Administration Report will be published every year with full details of Income and Expenditure and the State of the Charities. The Committee will be bound to furnish any information that may be required by Government and afford facilities for any such inspection as Government may deem desirable and carry out any directions given by Government for the improvements of the Charities. We have made these proposals with a sincere desire to take advantage of the benevolent intentions of Government towards this important Charity, as we feel that further time should not be lost in placing the future constitution on a proper permanent basis. We request Government kindly to avail themselves of our co-operation in all the measures they intend to adopt for ensuring the stability of the Institution.

Bangalore City.
Dated 3rd August 1933.

We beg to remain,

Sir,

Your most obedient servants.

B Srinivasalu Iyer
M Venkatasamy Naidu
ಬಿ. ಎಂ ನಿಡು ಅಂಡ್ ಕೋ
ಎಂ. ವೆಂಕಟಸ್ವಾಮಿ ನಾಯ್ಡು
Trustees,
J.L.N. Charities
Bangalore

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GENERAL & REVENUE SECRETARIAT,

D. O. 301

Dated, Bangalore.....5-9-1933... ~~192~~

No Mers

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Dear Sir,

I am desired to invite kind reference to your D.O. letter of the 25th July 1933 regarding the management of the S.L.N. Charities, Bangalore and to enquire when the communication in the matter, promised by you may be expected in this office.

The favour of a very early reply is requested.

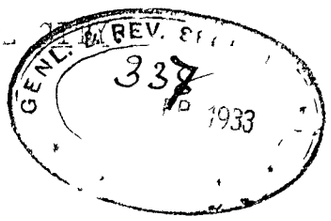
Yours sincerely,

For F.F.

Rajakaryapravina

P.G.D'Souza, Esq., B.A., B.L.,
President, S.L.N.Charities, 31. Grant Road,
Bangalore.

S. L. N. CHARITIES, BANGALORE



Bangalore City,
Dated 14th September 1933.

My dear Mr. Rajagopalchari,

With reference to the Financial Secretary's D.O. letter No.301 dated the 3rd/6th September 1933 regarding the S.L.N. Charities, I write to state that I had promised Rajakaryaprasakta Diwan Bahadur Mr. M.I. Krishna Rao, when I discussed the matter with him, that I would induce the Trustees to apply to Government themselves agreeing to a scheme by which Government can get the necessary control over the Institution with their consent while conferring complete independence over the management and retaining the original character of the constitution in order to avoid the difficulties likely to be caused by the application of the Religious and Charitable Institutions Regulation in view of its peculiar features to Trust Boa They have done so already and this representation is pending with the Government. I therefore presumed that no further communications from me would be necessary and that Government would pass orders agreeably to save as the scheme had submitted by them is more or less on accord with what we considered as a most suitable solution when we discussed the matter together and you yourself had recommended as Muzrai Commissioner a practically identical scheme. All the differences between the Trustees have now been adjusted and they are prepared to co-operate in future and this spirit of theirs deserves sympathetic consideration. They are practically surrendering a position from which they cannot be removed except by prolonged litigation if their scheme is accepted and all that they ask for is that they should not be omitted from the new Constitution. It is therefore desirable to see

that the action taken is not calculated to rouse their opposition unnecessarily as any orders passed by Government do not come into operation under Sec.21 of the Mysore Religious Charitable Institutions (Regulation) Act before the expiry of six months from the date of the order and if made the subject matter of a suit until the suit is decided and the interval might seriously prejudice the interests of the Institution and affect all further development. It may be very difficult also to establish before a Court of Law if proceedings are taken under Sec.21 that there is any gross mismanagement now justifying action under Sec.19 when the Institution has been raised to the highest state of efficiency, a flourishing High School having been established with the existing resources of the Institution, income from the properties improved, substantial additions made and a big programme of expansion has been undertaken. I have explained these in detail in a separate letter to the Dewan of which I attach a copy for your information. Moreover the irregularities concern only a few of the Trustees. It is doubtful if on that score the whole body can be condemned and superseded when harmony has been re-established and they are all willing to co-operate with Government in establishing a new Constitution.

All the Trustees excepting Mr. Thirmaraya Setty and Myself are signatories to the representation sent to Government. There is a suit pending against Mr. Thimmaraya Setty and I did not want to prejudice either side by taking his consent to the new proposals but he has also approached me for an amicable settlement. As regards myself I have always been anxious to remove the defects in the existing constitution and the action taken by me in my official capacity has been with this object and after my retirement I have used all my influence to restore harmony among the Trustees and made them agree to a constitution under which Government can exercise control over it automatically hereafter when necessary in a

a prompt and effective manner. I beg to suggest therefore that Government may frame a one scheme for the administration of the Charities on the following lines.

In the place of the existing Trust Board and Advisory Committee a single Committee of Management may be formed consisting of 4 Members of the Jotinagara Community and five or six other members with a Chairman. On this Committee the existing members of the Trust Board may be provided with a place so long as they are able to discharge the duties efficiently unless Government for adequate reasons decide to remove them in the interests of the Institution. The other Members will be appointed for 3 years and the present Members of the Advisory Committee Mr. K.H. Narasiya, Mr. Ramachandra Rao Scindia and Dr. Parathasarathi Chetty, who belongs to an allied community may also be continued. When vacancies occur among the Trustees, members of the Jotinagara Community will be selected in place of members of that community and in the case of others some leading representatives from the City of Bangalore. These will hold office for three years. The Chairman will be appointed by Government and hold office for three years and be eligible for re-appointment. He will exercise the Executive authority of the Committee subject to such rules as may be framed in this behalf.

In view of my position as a Trustee and as Chairman elected by the Trustees and my intimate connection with the Institution it may not be in the interests of the Institution to make any changes in the office of Chairman and I can assure Government that I shall not continue in office as soon as I feel that I cannot discharge the duties satisfactorily. As you will agree the defects, if any, of the other Trustees cannot affect my position.

The Committee of Management will exercise all the authority conferred by the Trust Deed on the Trust Board and be responsible for the management of the Institution and the Trust Properties and submit an annual report to Government and such o

other reports and returns as may be prescribed by Government. The will have complete authority to deal with the properties and income of the Institution, to lend monies belonging to the Institution, to raise loans when necessary but subject to the same conditions as if the Trust Act still continued and S 23 of the Mysore Religious and Charitable Institutions Act 192 to apply to such transactions. The Government may remove any Member of the Committee or supersede the Committee for adequate reasons. Having regard to the magnitude of the Institution and the close attention its affairs will require in the future it may be necessary to provide the payment reasonable remuneration to Members of the Committee when the duties involve any out of pocket expenses or prolonged employment.

The accounts will be audited once in six months and the audit report will be submitted to Government.

The Committee will furnish such information as may be called for by Government or the Muzrai Commissioner and afford facilities for inspection by any officer of suitable rank deputed by Government and be bound to carry out all directions of Government for the improvement of the Charities after they have passed final orders considering any representation that the Committee may have made.

A Committee constituted on the above lines will while possessing ample independence of action be subject to all necessary safeguards in the interests of this Institution.

The essence of the new arrangements should be that there should be no scope for disputes or litigation and the Government Advocate may be consulted as to whether it would be best to move the District Court itself to sanction the new scheme or pass orders under the Mysore Religious and Charitable Institution Regulation. The position at present is such that even the existing constitution can be worked so as to subserve the best interests of the Institution. So there is ample time for the introduction of the new scheme and the

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proper safeguards free from future difficulties. I may also be given an opportunity of expressing my views on the new scheme before it is finally adopted.

As regards amounts due by individual Trustees the only two cases with which we are concerned are those of Mr. Srinivasalu Naidu and Mr. Thimmaraya Setty. The amount involved in the former case is small and he has rendered the hardest work for the Institution. In the case of ~~Mr. Thimmara~~ Mr. Thimmaraya Setty, I have then the necessary action to adjust amounts received by him from amounts due to him. So far as the Institution is concerned there has been no loss through him. He is also the nearest serviving relative of the late Doddanna Setty.

The new Committee may be empowered to deal with the above cases.

In conclusion I beg to urge that Government may deal with the Trust Board considerately and equitably having regard to their decision to fall in with the views of the Government as far as possible and avoid all contentious action and that the change may be introduced so as to cause no unsettlement of the Institution.

Yours sincerely,

P. G. Rajagopalachari

S.P. Rajagopalachari, Esq., B.A., B.L.,
Second Member of Council,
Bangalore.

PGD/BGS.

Bangalore City,
Dated 14th September 1933.

My dear Sir,

With regard to our discussion yesterday in regard to the Doddanna's Charities, I shall briefly explain the position

When the late Doddanna Setty died, the income of the Charities consisted of rent of Rs.350/- per mensem from a Cinema Hall (not regularly paid), Rs.200/- per mensem rent from shops, and about Rs.150/- per mensem from cash endowments of Rs.28,300/- which are invested in Muzrai Funds and Rs.10,0(in Government Bonds, or about Rs.700/- per mensem in all. Institution was getting a Government Grant of Rs.250/- per mensem for the combined Middle School and Industrial Classes which has since been continued unchanged though the Expenditu has been more than doubles. The rents from the Cinema Hall and the shops have now been raised from Rs.550/- to Rs.800/- per mensem and the present monthly income from all the endowments is Rs.950/- as against Rs.700 in Doddanna Setty's time.

The Institution then consisted of a Middle School with about 300 pupils and some industrial classes inadequately equipped and staffed and the monthly expenditure was about Rs.800/- per mensem. As soon as I retired, I took steps to open High School and the present strength of the Institution is 800 and our present expenditure is about Rs.1800/- per mensem some of the additional cost being derived from fees. As regards the staff I have taken the trouble to recruit the best graduates of the Mysore University during the last 3 or year. As I was able to secure them for rather low salaries, the cost of the High School is only about 50% of that of any similar Institution. The School has a good Scout Troope Facilities have been provided for physical exercises both

Indian and Western and moral instruction is provided by mea of approved songs, lessons etc. As I am able to give the Institution much of my time free, the expenses of managemen are practically nil. The reputation of the Institution is so hee high that the demand for seats is in excess of the accommoda and we have therefore arranged to provide for 1000 student and next year. For Science and other equipment of the High S we have spent since last year Rs.5,000, thus making it one indu the best equipped High Schools in Bangalore or Mysore, Rs on sports materials and appliances, the School having exce ingly good teams in Volley Ball, Cricket and Foot-ball and good Library is also being established. We are entitled grant under the rules and our request for the same is pendin with Government. The grant will be used to improve the pro pects of the Staff so as to retain the men already recruited permanently and start a Provident Fund for the teachers.

As regards the Industrial Section, a class in Smi has just been opened. The Carpentry, Weaving, Lacquerware Rattan Sections have been thoroughly reorganised by the appointment of competent teachers and organization of instru tion on factory lines. Our monthly expenditure on the Industrial Classes is about Rs.400/- and I have spent on equipm alone for the past 2 years Rs.2,000/-. We have advertised for a Superintendent of the Industrial School of good qualif cations and one will be appointed as soon as we are able to secure a suitable man. Meanwhile I am myself devoting a go deal of attention to this work. At present the system of vocational education for High Schools is defective. In consultation with Rajamantrapravina Diwan Bahadur Mr. K. my Matthan, First Member of Council, I have got a scheme prepar by Dr. Kini and I have promised to make a beginning as soon as such a scheme is sanctioned, meeting part of the cost. Priv Institution can only undertake such lines of work after schemes are approved and this may kindly be done early

my intention to have a Rs.650/- ch ovin

Teaching Industries on factory lines and a beginning has been made by taking in apprentice pupils.

The Trust consists of various other religious and charitable functions which have all been systematised.

An Auditor unconnected with the Institution conduct a continuous audit so that there is no scope for any irregularity.

The late Doddanna Setty provided only for a free Hostel of pupils of his community. A building is being erected for a Hostel for pupils of other communities which will be made self-supporting.

As regards further improvement of the properties ... late Doddanna Setty had built some 17 shops of very Kacha materials facing Kalaspalyam, the road now called Doddanna's road. He had also put up foundations for a number of other shops. These could not be taken up partly for want of funds and also as there was not much demand for shops in this locality until recently. As there is a good demand now, the old shops are being improved and the old foundations used for the new buildings. After these are completed the entire appearance of the side will be changed so as to be in keeping with this main thoroughfare. These improvements which are estimated to cost about Rs.10,000 will result in an immediate increase of rent by Rs.200/- per mensam.

We have also obtained sanction to put up an upper storey over the shops facing the Krishnarajendra Road opposite the new Maternity Hospital, the plans having been approved by the Government Architect and these buildings will be taken up

...he Kalaspalyam buildings are complete. This will

...y way of rent, i.e., by the end of the

...ldings excluding the Cinema

...nna's time to Rs.650/-

...ments which ...

site yield us a handsome return.

As regards the vacant area opposite the Old Electric A Station negotiations are going on with certain private parties t future. to construct suitable buildings under an arrangement to recoup the cost from the rent and a certain payment fixed annually towards the capital value. It is my intention to submit these plans together to you. Much of the land however consists of a old ditch filled up and as such except in portions only single storeyed buildings can be erected with safety. As I stated ou cash investments will amount only to about Rs.30,000 after meeting the oost of improvements on hand . If private negotiations fail, I shall approach Government for a loan on the security of these investments for construction of a suitable building but the work has to be designed so as to yield at least 8 to 9 per cent. per annum.

It will thus be seen that every possible attention is being given to the improvement of the School and the properties its resources are all utilised to the utmost advantage and the Management have a definite programme for further expansion. It has been entirely due to my personal influence and efforts that I have been able to compose all differences and I have been able to effect marked improvements since my retirement in every direction with their cooperation and perfect harmony prevails among the Trustees. I have also been able to induce them to agree to Government assuming control and providing a new constitution without affecting the independence and the character of the Insti -n and thus avoid the difficulties which exist under the present law for prompt and effective Government actio

I amy also state that I took up this work on account of my friendship for the late Doddanna Setty and the scope it gives to help the younger generation and have spent my time and energy unstintedly for it in spite of great personal inconvenience, worry, expense, and unpleasantness as a labour of love. I feel sure I can count on your appreciation, sympathy and

support to make these efforts still more fruitful in future.

Yours sincerely,

So P G. Dixon

AMIN-UL-MULK
Sir Mirza M. Ismail, Kt., C.I.E., O.B.E.,
Dewan of Mysore,
Bangalore.

Issue Copy

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S. L. L. CHETTY'S, B...aCa...ORE.

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GENL. & REV. SECRETARIAT
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MUZRAI.

Bangalore Dt.

Dated 20th September 1933.

My dear Sir,

With reference to our interview yesterday in regard to the Doddanna's Charities, I will briefly explain the position as

When the late Doddanna Setty died, the income of the Charities consisted of rent of Rs.700/- per mensem from a Cinema Hall (not regularly paid), Rs.900/- per mensem rent from shops, and about Rs.150/- per mensem from debentures of Rs.28,300/- which are invested in Muzrai funds and Rs.1,000 in Government Bonds, or about Rs.750/- per mensem in all. The Institution was getting a Government Grant of Rs.200/- per mensem for the combined Middle School and Industrial Classes which has since been continued unchanged though the expenditure has been more than doubled. The rents from the Cinema Hall and the shops have now been raised from Rs.950/- to Rs.800/- per mensem and the present monthly income from all the endowments is Rs.950/- as against Rs.700 in Doddanna Setty's time.

The Institution then consisted of a Middle School with about 200 pupils and some industrial classes inadequately equipped and staffed and the monthly expenditure was about Rs.800/- per mensem. As soon as I retired, I took steps to open a High School and the present strength of the Institution is 900 and our present expenditure is about Rs.1[illegible]/- per mensem some of the additional cost being derived from fees. As regards the staff I have taken the trouble to recruit the best graduates of the Mysore University during the last 3 or 4 years. As I was able to secure them for rather low salaries, the cost of the High School is only about 50% of that of any similar Institution. The School has a good Scout Troop. Facilities have been provided for physical exercises both

Indian and Western and oral instruction is provided by teachers of approved scales, lessons etc. As I am able to give the Institution much of my time free, the expenses of management are practically nil. The reputation of the Institution is so high that the demand for seats is in excess of the accommodation and we have therefore arranged to provide for 1,000 students next year. For Science and other equipment of the High School we have spent since last year Rs.3,000, thus making it one of the best equipped High Schools in Bangalore or Mysore, Rs.1,000 on sports materials and appliances, the School can now claim - ingly good teams in Volley Ball, Cricket and Foot-ball and a good Library is also being established. We are entitled to a grant under the rules and our request for this is pending with Government. The grant will be used to improve the prospects of the Staff so as to retain those already recruited permanently and start a Provident Fund for the teachers.

As regards the Industrial Section, a class in Silk has just been opened. The Carpentry, Weaving, Lacquer ware and Rattan Sections have been thoroughly reorganised by the appointment of competent teachers and organization of instruction on factory lines. Our monthly expenditure on the Industrial Classes is about Rs.400/- and I have spent on equipment alone for the past 2 years Rs.2,000/-. We have advertised for a Superintendent of the Industrial School of good qualifications and one will be appointed as soon as we are able to secure a suitable man. Meanwhile I am myself devoting a good deal of attention to this work. At present the system of vocational education for High Schools is defective. In consultation with Rajamantrapravina Diwan Bahadur Mr. K. Matthan, First Member of Council, I have got a scheme prepared by Dr. King and I have promised to make a beginning as soon as such a scheme is sanctioned, meeting part of the cost. Private Institutions can only undertake such lines of work after schemes are approved and this may kindly be done early. It is also the intention to have a regular Industrial School for

teaching Industries on factory lines [illegible]
made by being in operation [illegible].

The Trustees of which [illegible] are the
charitable [illegible] and [illegible] by [illegible].

An Auditor [illegible] with [illegible] to
[illegible] audit so that [illegible] in accordance with
[illegible] regularity.

The late Doddamma Setty provided only for a free Hostel of ouvils of his community. A building is being erected for a Hostel for pupils of other communities which will be made self-supporting.

As regards further improvement of the properties the late Doddamma Setty had built some 17 shops of very Kacha materials facing Kalaspalyam, the road now called Doddamma's road. He had also put up foundations for a number of other shops. These could not be taken up partly for want of funds and also as there was not much demand for shops in this locality until recently. As there is a good demand now, the old shops are being improved and the old foundations used for the new buildings. After these are completed the entire appearance of the side will be changed so as to be in keeping with this main thoroughfare. These improvements which are estimated to cost about Rs.10,000 will result in an immediate increase of rent by Rs.200/- per mensem.

We have also obtained sanction to put up an upper storey over the shops facing the Krishnarajendra Road opposite the new Maternity Hospital, the plans having been approved by the Government Architect and these buildings will be taken up as soon as the Kalappalyam buildings are complete. This will add about Rs.150/- more by way of rent, i.e., by the end of the year the rental value of the buildings excluding the Cinema Hall will be raised from Rs.200 in Doddamma's time to Rs.650/- per mensem, the cost being met from investments which owing to the present condition of the money market yield as a poor return and if spent on buildings due to the position of the

site yield us a handsome return.

As regards the vacant area opposite the Old Electric Station negotiations are going on with certain private parties ature. to construct suitable buildings under an arrangement to recou the cost from the rent and a certain payment fixed annually towards the capital value. It is my intention to submit these plans together to you. Much of the land however consists of an old ditch filled up and as such except in portions only single storeyed buildings can be erected with safety. As I stated our cash investments will amount only to about Rs.30,000 after meeting the cost of improvements on hand . If private negotiations fail, I shall approach Government for a loan on the security of these investments for construction of a suitable building but the work has to be designed so as to yield at least 8 to 9 per cent. per annum.

It will thus be seen that every possible attention is being given to the improvement of the School and the properties its resources are all utilised to the utmost advantage and the Management have a definite programme for further expansion. It has been entirely due to my personal influence and efforts that I have been able to compose all differences and I have been able to effect marked imorovements since my retirement in every direction with their cooperation and perfect harmony prevails among the Trustees. I have also been able to induce them to agree to Government assuming control and providing a new constitution without affecting the independence and the character of the Institution and thus avoid the difficulties which exist under the present law for prompt and effective Government actio

I amy also state that I took up this work on account of my friendship for the late Doddanna Setty and the scope it gives to help the younger generation and have spent my time and energy unstintedly for it in spite of great personal inconvenience, worry, expense, and unpleasantness as a labour of love feel sure I can count on your appreciation, sympathy and

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support to make these efforts still more fruitful in future.

Yours sincerely,

M. G. Ismail

AMIN-UL-MULK
Sir Mirza M. Ismail, Kt., C.I.E., C.B.E.,
Dewan of Mysore,
Bangalore.

Appendix F G—1]

SUBJECT ....

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2 copies

Section Mez

File No. 336-32

Serial No. 4

Diary No. of letter replied to ....

No. 1044 Encl

To

Rajakaryaprasina

P. G. D' Souza Esq BABL

President S.L.R. Chari

31. Grant Road, Bangalore

Dear Sir,

In ~~I am directed to~~ in ~~writ~~

Ref I - Reference to correspondence ending with

& withdraw letter of the 14th Sept 1927 (addressed this 2nd Number of

- regarding the S.L.R. charities

I am directed to]

~~and~~ to forward herewith the draft scheme proposed by you

2 copies of Plan T

for the future management

List of enclosures .. ..

of the said institution and to request that

Copied by ..... 3/11/34 .....

~~for favour of~~ be favoured with ~~publication~~ your views thereon

Examined by ....

~~for the information of Govt~~ information, as early

as practicable

Yours Sincerely

31/1

31/1

GENERAL AND REVENUE SECRETARIAT

D. O. No. 1044 Dated, Bangalore, 31st January 1934.

Dear Sir,

In inviting reference to correspondence ending with your letter of the 14th September 1933 regarding the S.L.N.Charities addressed to the Second Member of Council, I am desired to forward herewith the draft scheme proposed by Government for the future management of the Institution and to request to be forwarded with your views thereon as early as practicable.

Yours sincerely,

Rajakaryapravina
P.G. D'Souza, Esq., B.A., B.L.,
President, S.L.N.Charities,
31. Grant Road, Bangalore.

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31/1

Scheme approved by Government for the futuro management of the Sri Lakshmi Narasimha Charities, Bangalore.

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1. Committee of Management - its constitution.

(a) In place of the existing Trust Board and Advisory Committee of the Charities, a single Committee of Management will be constituted, consisting of 4 members of the Jotinagara Community and five other Members, with a Chairman.

(b) The existing members of the Trust Board will continue on the new Committee so long as they are able to discharge their duties efficiently, unless Government for adequate reasons, decide to remove them, at any time, in the interests of the Institution.

(c) The other members will be appointed for three years at a time.

(d) When vacancies occur among the Trustees, members of the Jotinagara community will be selected in place of members of that community and in the case of other leading representatives from the City of Bangalore.

2. Chairman of the Committee - The Chairman of the Committee will be appointed by Government and hold office for three years and be eligible for re-appointment. He will exercise the Executive authority of the Committee, subject to such rules as may be framed with the approval of Government in this behalf. Rajakarya Pravina Mr.P.G.D'Souza, B.A.,

B.L., will continue as Chairman of the newly constituted Committee.

3. Powers, Duties and Liabilities of the Committee of Management -

(a) The Committee will exercise all the authority conferred by the Trust Deed on the Trust Board and be responsible for the proper management of the Institution and the trust properties.

(b) They shall submit, through the Muzrai Commissioner, an annual report to Government and such other reports and returns as may be prescribed by Government in this behalf.

(c) They will have full authority to deal with the properties and income of the institution, to lend monies belonging to the institution, to raise loans when necessary, but subject to the conditions laid down in this behalf in the Mysore Religious and ~~Charities~~ Charitable Institutions Regulation 1927.

(d) The Government will have power to remove any member of the Committee or supersede the Committee for adequate reasons.

(e) Having regard to the magnitude of the institution and the close attention, its affairs will require, in the future, any reasonable remuneration may be paid, with the previous sanction of Government, to the Members of the Committee ~~mf~~ when their duties involve any out-of-pocket expenses or prolonged employment.

4. Accounts - The accounts of the -

Charities

Charities shall be audited once in six months and the audit report submitted to Government, through the Muzrai Commissioner.

5. General - The Committee of Management shall furnish such information as may be called for by Government or the Muzrai Commissioner and afford facilities for inspection by the Muzrai Commissioner or any officer of suitable rank deputed by him and be bound to carry out all directions of Government or the Muzrai Commissioner for the improvement of the Charities

for Financial Secretary to Govt.

RAJAKARYAPRAVINA
P. G. D'SOUZA, B.A., B.L.
RETIRED MEMBER OF COUNCIL
MYSORE STATE
PRESIDENT S. L. N. CHARITIES

11 3.3.9 c-32-5

31, GRANT ROAD,
BANGALORE.

OFFICE OF THE
SECOND MEMBER OF COUNCIL.
20 FEB. 1934
No. 5302

20th. February 193

931.

My dear Mr. Rajagopalchari;

With reference to correspondence ending with D.O. letter No 1097[Mur] of the 15th. February 1934 from the Finiancial Secretary requesting my opinion on the draft scheme for the S L N Instution I beg to state as follows. As desired I have not placed the matter before the Trustees as they have already agreed to the main terms of the scheme.

The scheme is on the whole suitable but I would suggest the following additions and modifications.

(a) The primary intentions of the late Janopakri Dodanna Shetty in forming the charities were, 1) to advance the educational interests of the community for which purpose he has provided a free hostel and other facilities. 2) to promote general education among all classes for which he wanted a High School to be started, 3) to give as far as possible an industrial bias to education. 4) to help indigent members of his community. 5) to carry out certain religious and other functions periodically. The development of the Instutition has been carried ~~out~~ on these lines and these intentions have been fully carried out. The aims of the founder should always form the permanent basis of the charities, and if after carrying out these objects additional funds are available these should be spent for the further development of technical eductaion

in the future. The Government should reserve the power to modify the scheme as need arises subject to this condition.

(b) As Education is very backward among the Jotinagar community and owing to the trade depression and other causes the community is not at all in a flourishing condition, and it may not be possible to get as many as four members of the right type immediately from the community to serve on the committee The number may be fixed at not less than three and not more than four, so that as they get better educated they may be able to associate them in the work of the instution to an increasing extent.

(c) As regards the members of the community who have been appointed thereto by virtue of being trustees at present , if for any reason it may be considered necessary to remove them from the Committee they should be given an opportunity to meet the charges against them with a right to appeal to the Government. They have such a right under the Trust Act and Charitable Endowments Act, and it is but fair to continue the same privilege in future.

(d) The committee should meet not less than once a month, and oftener if the need be. The income of the instutition from rentals was about Rs800/- per month last year, but owing to certain additions is now about Rs1100/- per month, and it is proposed to construct further buildings which will add to the income by about Rs 300/- per month shortly. Along with the fee income the total income of the Institution will soon reach Rs2000/- per month and at present the expenditure is already about Rs1600/- per month. The management of such vast properties involves great responsibility and it is

necessary to have a committee that will take a real interest in the affairs of the Instution. As an inducement, I would provide that each member of the committee ~~being~~ may be given a sitting fee of Rs6/-@the amount ~~being~~ paid to the directors of the Bangalore Central Co-Operative Bank being Rs7/ 8/-,) and the President a sitting fee of Rs10/- per meeting. Absence from any four consecutive meetings without sufficient cause will involve cessation of membership. The committee will have the power to restore such membership for satisfactory reasons. The amount to be paid as fees may not be more than rupees eight hundred to a thousand per annum, but such inducement to me seems to be necessary to make the members take a more active part in the affairs of the instutition.

(e) It is necessary to provide in the scheme that there should be one single person of sufficient status at the head to control and direct the institution who will be the President and will be charged with the administrative control of the institution so that the drawbacks to committee management may be avoided. I shall submit detailed proposals in this respect but shall indicate the general outlines now. Before the beginning of the official year a budget will be prepared giving an estimate of the income and expenditure and sanctioned by the committee. The President will have the authority to incur expenditure in accordance with the sanctioned budget. A monthly statement of ~~accounts~~ receipts and expenditure should also be placed before the committee and passed at each meeting. There should be regular rules to regulate the procedure and business of the committee. All proposals for new expenditure

contracts involving more than Rs1000/- and above , leases where the period extends to more than one year or the rent amounts to Rs500/- per annum, investment of monies belonging to the trust, loans concerning the Trust properties, should be subject to the approval of the committee. All permanent additions to the Staff, revisions of scales of establishment , or the increase of permanent expenditure should be sanctioned by the committee. All appointments upto Rs40/- will be sanctioned by the President and any disciplinary measures taken by him in regard to any such staff will be final. All other appointments will be subject to the approval of the committee.

(f) The duties of the President involve frequent visits to the Instutition, close personal attention and much out of pocket expenses. So he may be allowed to draw a conveyance allowance of Rs60/- per month.

(g) As regards renumeration for particular items to individual members of the ~~community~~ committee referred to in this scheme ~~should~~ may be left to the committee, but as it is proposed to give sitting fees there is no need for further extra renumeration.

The appointment of new members of the committee should be made in consultation with the President and as far as possible only the leading representatives of the public should be chosen. As a large majority of members hold office for life under the scheme it is a matter for consideration whether the term of the appointment may not be fixed at five years instead of three. But as good members will be reappointed as a matter of course there will be no inconvenience whatever in keeping the term at three years.

(i) The instutition maintains primary school classes for which

it is entitled to a Grant from the Muncipality. This or any other body that gives a grant to the Institution may be allowed to nominate one member to the committee. I am strongly in favour of creating some link between the committe and some public bodies, so that the selection of the new members may proceed on certain principles.

(j) Interference of Government should be restricted to cases where there may be serious misapplication of funds or diversion from the original object of the Grant or mismanagement affecting the efficiency of the Institution. In other respects the President and the committee should have complete authority.

(k) As the Institution has been formed by a member of the Jotinagar community and the trustees originally appointed by him either belong to that community or other non-bhramin communities in selecting the members in future also we may follow as far as possible this principle consistently with the efficiency of the Institution, though this understanding need not find a place in the order.

(l) As it would take some time before the full details of the new constitution are worked out it is necessary to fix a date from which the new constitution will come into effect. As there are only four months for the commencement of the new official year it may be convenient to bring the new scheme into operation from the 1st July 1934, so that all arrangemen may coincide with the officia year. But the work of the Institution will be carried out as far as practicable according to the scheme as soon as the Government orders are passed.

I am glad that Government have accepted the suggestion

to improve the existing constitution itself so the transition may be affected with the co-operation of the existing Trust Board Members and I can assure them that I shall leave no stone unturned to see that the Institution is brought up to and ~~administered~~ maintained at a very high standard of efficiency.

Yours sincerely,

P.G. D'SOUZA.

To,

S.P. Rajagopalachari, B.A. B.L.,
Second Member of Council,
B A N G A L O R E.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 31st March *193.* 4

No. 1315

Neg 336-32

2nd April

From

The *Financial Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Muzrai Commissioner in Mysore,
Bangalore.

Sir,

With reference to correspondence ending with your letter No.887/29-30 dated the 12th September 1932 furnishing details of the scheme for the future management of the Sri Lakshmi Narasimha Charities, Bangalore, I am directed to state that, after carefully considering the various aspects of the case, Government are pleased, under Section 18 of the Mysore Religious and Charitable Institutions Regulation 1927, to approve of the scheme as detailed in t... appendix. The Muzrai Officer may be instructed to pass formal orders accordingly.

The names of the other members of the Committee, besides the existing trustees, may be proposed after the issue of orders as above; and a report on the result of action taken in the matte submitted for the information of Government.

I have the honour to be,

Sir,

Your most obedient servant,

for Financial Secretary to Government.

psk. 4

SCHEME APPROVED BY GOVERNMENT FOR THE FUTURE MANAGEMENT OF THE SRI LAKSHMI NARASIMHA CHARITIES, BANGALORE.

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1. COMMITTEE OF MANAGEMENT - ITS CONSTITUTION:-

(a) In place of the existing Trust Board and Advisory Committee of the Charities, a single Committee of Management will be constituted, consisting of a Chairman and 9 members of whom not less than three and not more than 4 members will be of the Jotinagara Community.

(b) The existing members of the Trust Board will continue on the new Committee so long as they are able to discharge their duties efficiently, unless Government, for adequate reasons, decide to remove them, at any time, in the interests of the Institution.

(c) The other members will be appointed for three years at a time.

(d) When vacancies occur among the Trustees, members of the Jotinagara community will be selected in place of members of that community and in the case of others, leading representatives from the City of Bangalore.

2. CHAIRMAN OF THE COMMITTEE :- The Chairman of the Committee will be appointed by Government and hold office for three years and be eligible for re-appointment. He will exercise the Executive authority of the Committee, subject to such rules as may be framed with the approval of Government in this behalf. Rajakaryapravina Mr. P. G. D'Souza, B A., B.L., will continue as Chairman of the newly constituted Committee.

3 AS, DUTIES AND LIABILITIES OF THE COMMITTEE OF MANAGEMENT:-

(a) The Committee will exercise all the authority conferred by the Trust Deed on the Trust Board and be responsible for the proper management of the Institution and trust properties.

91

(b) They shall submit, through the Muzrai Commissioner, an annual report to Government and such other reports and returns as may be prescribed by Government in this behalf.

(c) They will have full authority to deal with the properties and income of the institution, to lend monies belonging to the institution to raise loans when necessary, but subject to the conditions laid down in this behalf in the Mysore Religious and Charitable Institutions Regulation 1927.

(d) The Government will have power to remove any member of the Committee or supersede the committee for adequate reasons.

(e) Having regard to the magnitude of the institution and the close attention, its affairs will require, in the future, any reasonable remuneration may be paid, with the previous sanction of Government, to the members of the Committee when their duties involve any out-of-pocket expenses or prolonged employment.

4. ACCOUNTS:- The accounts of the Charities shall be audited once in six months and the audit report submitted to Government, through the Muzrai Commissioner.

5. GENERAL: The Committee of Management shall furnish such information as may be called for by Government or the Muzrai Commissioner and afford facilities for inspection by the Muzrai Commissioner or any officer of suitable rank deputed by him and be bound to carry out all directions of Government or the Muzrai Commissioner for the improvement of the Charities.

By Order,

Financial Secretary to Government.

Psk.4

Mej/315 — To — 2-4 — 4 copies — 34 — 82

Mej 336-32-5 — Encl: Nil

The Muzrai Commissioner in Mysore.

Sir,

With reference to correspondence ending with your letter No. 887/29-30 dated the 12th September 1932 furnishing details of the scheme for the future management of the Sri Lakshmi Narasimha Charities, Bangalore, I am directed to state that, after carefully considering the various aspects of the case, Government are pleased, under Section 18 of the Mysore Religious and Charitable Institutions Regulation 1927, to approve of the scheme as detailed in the appendix. The Muzrai Officer may be instructed to pass formal orders accordingly.

The names of the other members of the Committee, besides the existing trustees, may be proposed after the issue of orders as above; and a report on the result of action taken in the matter submitted for the information of Government.

I have etc.,

22.1.34

Financial Secretary to Government

P.H. 18/1/34

13/1
3/3

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Scheme approved by Government for the future management of the Sri Lakshmi Narasimha Charities, Bangalore.

***** :0: *****

1. Committee of Management - its constitution.

(a) In place of the existing Trust Board and Advisory Committee of the Charities, a single Committee of Management will be constituted, consisting of 4 members of the Jotinagara Community and ~~five other Members, with a Chairman.~~

(b) ~~On this Committee~~, the existing members of the Trust Board will ~~be provided with places~~ continue on the new Committee so long as they are able to discharge their duties efficiently, unless Government, for adequate reasons, decide to remove them at any time, in the interests of the Institution.

(c) The other members will be appointed for ~~these~~ three years at a time, such of the present members of the Advisory Committee as are capable of holding the offices being also continued on the new committee.

(d) When vacancies occur among the Trustees, members of the Jotinagara community will be selected in place of members of that community and in the case of others leading representatives from the City of Bangalore.

2. Chairman of the Committee - The Chairman of the Committee will be appointed by Government and hold office for three years and be eligible for re-appointment. He will exercise the Executive authority

the Members of the Committee when their duties involve any out-of-pocket expenses or prolonged employment.

4. Accounts - The accounts of the Charities shall be audited once in six months and the audit report submitted to Government, through the Muzrai Commissioner.

5. General - The Committee of Management shall furnish such information as may be called for by Government or the Muzrai Commissioner and afford facilities for inspection by the Muzrai Commissioner or any officer of suitable rank deputed by him and be bound to carry out all directions of Government or the Muzrai Commissioner for the improvement of the Charities.

22-1-34.

P.H. Financial Secretary to Govt.

18/1/34

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

General and Revenue Secretariat

Dated, Bangalore, 14th April 1934

No. ~~Mz~~ 1374
Mz 336-32

From

The Financial Secretary to the Government of His Highness the Maharaja of Mysore.

To

The Muzrai Commissioner in Mysore,
Bangalore.

Sir,

In continuation of this office letter No. 1315 Muz. 336-32, dated 2nd April 1934, regarding the scheme for the future management of the Sri Lakshmi Narasimha Charities, Bangalore, I am directed to return herewith the file of papers received with your letter No. 837/29-30, dated the 12th September 1932.

I have the honor to be,
Sir,
Your most obedient servant,

For Financial Secretary to Government.

TR.3

Appendix F G—1]

SUBJECT .....

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Section MWg

File No. 336-32

Serial No.

Diary No. of letter replied to .....

No. 1374 Encl 10 files & books

To The M.C in ellefara

Sir,

General and Revenue Secretariat

( )

the *193* .

In continuation of this office letter No 1315/MWg 336-3 dated 2-4-1934 regarding the Scheme for the future management of the S.L.N. charities Bandarawela, I am directed to return herewith the file of papers received with your letter No 887/2930 dated the 12-9-1932.

I have ch

13/4

Date of issue .....

Signed by .....

E

List of enclosures .....

Copied by .....

Examined by .....

for Colonial Secretary

13/4

WD 0677 –G PB –15,000—3-11-33

886

Janopakari Doddanna Setty's
SRI LAKSHMI NARASIMHA CHARITIES,
Trust Board Office, Doddanna's Buildings
Bangalore City.

ENCLS..... NO.. 432 *Dated 7th Feby 1934.*

FROM Rajakaryaprasina
P. G. D'Souza, Esq BA BL
President-SLN Charities
Bangalore

TO S. Shamanna Esq
Financial Secretary to the Govt
Bangalore

Sir,

I am in receipt of your letter D.O. no. 1044 dated 2nd Feby 1934, and am very thankful to the Government for having accepted the proposals made for the improvement of the Charities. I am placing the letter before the Board of Trustees and shall write to you in the course of this month, with a resolution of the Board.

Yours truly
P. G. D'Souza

Submitted for perusal. The further reply promised may be awaited.

OFFICE OF THE SECOND MEMBER OF COUNCIL. 13 FEB. 1934 No.....

The draft Scheme was sent to Mr D'Souza for his opinion. He says he will place it before the Board of Trustees. Whether this is desirable is for consideration.

2nd draft) Please inform

99

him that it is a draft sent
to him & his personal ~~view~~ opinion
before issue & that it is
not necessary to place it before
the ~~Bd~~ Bd at this stage urgent

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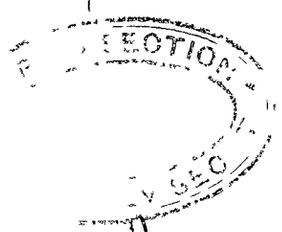
(2)
L/14/2

Draft Circ
JPL
14/2/74
L/14/2



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25/2/74.

S Bruce 1097 of 15.2.74

100

GENERAL AND REVENUE SECRETARIAT

D. O. No. 1097 Muz

Dated, Bangalore, 15th February '34

Dear Sir,

With reference to your letter No.932 dated 7th February 1934, I am desired to inform you that the draft scheme proposed by Government for the future management of the S.L.N.Charities and sent to you with my letter No.1044/Muz.dated 2nd February 1934 is only a draft sent to you for your personal opinion before issue and that it is not necessary to place it before the Board at this stage.

Yours sincerely,

15-2-34.

Rajakaryapravina
P.G.D'Souza, Esq., B.A., B.L.,
President, S.L.N.Charities,
31, Grant Road, Bangalore, ~~City.~~

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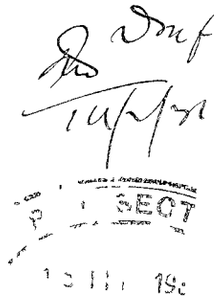

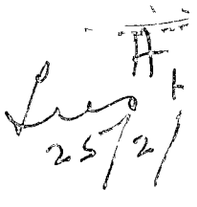

Appendix F G—1]

SUBJECT .....

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Section Mg

File No.

Serial No.

Diary No. of letter replied to 886

No. 1097

To

General and Revenue Secretariat

( )

the 193 .

Date of issue 15/2/34

Signed by .....

S Shamanna.

List of enclosures .....

Nil

Copied by .....

Examined by .....

Dear Sir,

In reference to your letter No. 932 & 7.2.1934, I am directed to inform you that the draft Scheme prepared by you for the future management of the S.L.N Chanties & sent to you with my letter No. 1014/Mg & 2.2.34 inviting a draft sent to you for your personal opinion before it is finally necessary to place it before the Board at this stage you kindly

14/2

To Raja Kanya Prasanna
M.D. Prop. Trustee SLN Chanties
Residence
31, Grant Road, Bang